

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**EIGHTEENTH DAY**

**DECEMBER 6, 2005**

**MEETING HELD AT THE EVANS K. GRIFFING COUNTY CENTER  
IN THE MAXINE S. POSTAL LEGISLATIVE AUDITORIUM  
300 CENTER DRIVE, RIVERHEAD, NEW YORK**

**MINUTES TAKEN BY**

**LUCIA BRAATEN AND ALISON MAHONEY, COURT STENOGRAPHERS**

**[THE MEETING WAS CALLED TO ORDER AT 9:30 A.M.]**

***(Roll called by Mr. Barton • Clerk)***

**LEG. LINDSAY:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. KENNEDY:**

(Not present)

**LEG. NOWICK:**

Here.

**LEG. BISHOP:**

Here.

**LEG. MYSTAL:**

Here.

**LEG. BINDER:**

(Not Present)

**LEG. TONNA:**

(Not Present)

**LEG. COOPER:**

(Not Present)

**D.P.O. CARPENTER:**

Here.

**P.O. CARACAPPA:**

Here.

**MR. BARTON:**

Mr. Lindsay? Got it. Ten present, Mr. Chairman. (Not Present for Roll Call: Legislators O'Leary, Vilorio•Fisher, Losquadro, Foley, Kennedy, Binder, Tonna and Cooper)

**P.O. CARACAPPA:**

That's a quorum. Will everyone please rise for a salute to the flag led by Legislator Carpenter.

***(Salutation)***

**P.O. CARACAPPA:**

Please remain standing for a moment of silence for our service men and women overseas fighting for our freedom.

***(Moment of Silence)***

**P.O. CARACAPPA:**

Thank you. Anyone have any proclamations, presentations? We are going directly to public portion. Public portion is three minutes long. First speaker •• it's your time, your time only. It's not a question and answer period. Appreciate it if you can make your comments as brief as possible and right to the point. First speaker is Louis Avignone.

**MR. AVIGNONE:**

Good morning.

**P.O. CARACAPPA:**

Good morning.

**MR. AVIGNONE:**

We're here on behalf of Uncle Wally's. We're trying to have a resolution passed today to help us with our expansion out in Shirley. We have a bakery that we operate out there. We actually came in 2001. We had a plant built in Shirley with some hopes and expectations that the coverage on our property would allow us to expand in the future and we've had some significant challenges in doing that.

Of late we've had the County, the Health Department, the Department of •• the Health Department, the Planning Department, the County people, the State, have all pulled together and tried to help us have this resolution passed along with a town resolution passed to help us with our expansion. It would be wonderful if the Legislators could vote this approval so we can move forward with our expansion and keep these jobs here on Long Island. We appreciate the assistance that we've gotten up to this point and we hope that today's meeting will allow us to move forward.

**P.O. CARACAPPA:**

Thank you, sir. Next speaker is Michael Petrocelli.

**MR. PETROCELLI:**

Hi. I'm Michael Petrocelli. Good morning. That for our time today. Uncle Wally's, as Lou mentioned, is a low tech muffin company. Our products are sold nationally. We have grown from 41 associates to 125 with plans to grow to 170 over the next few years. We have our product with us today. It's a simple product, a beautiful product, okay, best muffin around.

This time sensitive expansion that we're asking you for is important in many ways. It will help us to grow and meet the job requirements to New York State, which we're committed to, with the grant and the loans. It will keep us competitive, it will meet our customer demands. We're committed to April '06 to have this expansion done and it will help us eliminate nonessential costs from moving product from warehouses back and forth.

Last week's committee meeting, we were proud to have Angela \\_Mahea\\_ , one of our employees who was with the company since 1998, who is involved to become a shift manager. She is very proud to be part of our company and we are very proud to have her be part of it. She's also an English as a second language graduate. At the committee meeting last week it was a clear sign with Chairwoman Nowick and the other members by their unanimous consent to the resolution and the desire to keep Uncle Wally's in Suffolk County with their business friendly and environmental friendly approach.

The pressures are severe. Commodities are up big time, freight, surcharges are everywhere. Blueberries were 61 cents two years ago. Now they're \$1.80. The pressures for us are severe, as they said, and we're having to look outside New York. Currently Kansas offers three cents for electricity instead of ten cents here. But we need this expansion to remain competitive and deliver on our commitments and to create jobs in our community.

Lastly, I want to thank everyone for the desire to help and keep this company in Suffolk County. We're also very active in the development of the STP. We're hosting meetings, working very closely with all the players involved. Thank you for your time.

**P.O. CARACAPPA:**

Thank you, sir. Next speaker is David Wissemann.

**MR. WISSEMAN:**

Good morning. I've been in front of the Legislature a couple of times already in favor of the reopening of Suffolk Trap and Skeet. I had been an avid shooter there for years prior to it closing. I am just here to show my support. I think it's about time we opened it and hopefully we do. Thank you.

**P.O. CARACAPPA:**

Thank you sir. Next speak is Robert W. Rinck.

**MR. RINCK:**

I would just like to say that I'm in favor of the Trap and Skeet Range reopening.

**P.O. CARACAPPA:**

Excellent. Bill Raab.

**MR. RAAB:**

I'd also like to say I'm in favor of the Trap and Skeet reopening. There's been many issues brought up that were settled a long time ago. We don't need to revisit them. We all know what's got to be done and let's go and do it.

I'm also in favor of reopening and renovating the stables in Southaven Park because these people have worked very well with us and I see no reason that they can't continue. Thank you.

**P.O. CARACAPPA:**

Thank you very much. Robert Baumann.

**MR. BAUMANN:**

Good morning, Ladies and Gentlemen of the Legislature. My name is Robert Baumann. I live in Copiague. I'm the President of SASI, which is the acronym for the Suffolk Alliance of Sportsmen Incorporated. I'm also the New York State Rifle and Pistol Association's Long Island region, that is the greater Long Island Nassau and Suffolk region, Director.

The Trap and Skeet Range was closed four years and approximately two months ago, not because of any mishaps, unsafe conditions or other malfunctions, it was closed because of the mismanagement of the current or I should say then management. It's unfair that the taxpayers of the County of Suffolk should be deprived of the revenue that that range, that facility, did provide at one time and could again provide by a small minority of people who did not have the foresight to do their homework before they invested their fortunes in homes in that particular area. The thousands of people who I represent would be very, very appreciative if there was an expeditious reopening of this unique facility. Thank you.

**P.O. CARACAPPA:**

Thank you, sir. John Cushman.

**MR. CUSHMAN:**

Thank you. Good morning, everybody. John Cushman, President of the Sportsmen's Association for Firearms Education, affectionately known as SAFE. Most of you know who we are. You've been at our functions and we've been at yours. So as not to overwork anybody, we're here to stand in support of 2216, which is the funding for the reopening of the range. Also 2228, which is the approval of the contract for the vendor to come in and do it.

During the hearings at the Parks Committee, we were there and a question was raised regarding shooting on this property at the same time that the horsemen were using it. There is no competition. For over a quarter of a century we have coexisted on this property without the slightest happening. As a matter of fact, if you look at the record you'll find that in any endeavor that the County has, wherever there are sports played anywhere in the County under any circumstances, shooting is the one that has the least amount of any accidents. As a matter of fact, the Suffolk County Trap and Skeet Ranger for almost 50 years has an absolutely perfect record. Not a single incident of anyone being injured or harmed.

There are those who will use a variety of reasons to try to stop this. I hope that you will see through that. This is a desperate chance on their part to

try to stop it. We've gone through four years of discussions, hearings, meetings and everything else involved. We hope you will pass this legislation. Thank you.

**P.O. CARACAPPA:**

Thank you, John. Stuart Libster.

**MR. LIBSTER:**

Good morning. I'm a shotgun shooter. I'm also a New York State Hunter Safety Education Instructor. I have done numerous courses at the County range. It's a great asset to me to teach the safe and promote of hunting courses and in shooting. Thank you very much.

**P.O. CARACAPPA:**

Wai Ng.

**MR. NG:**

Hi. My name is Wai Ng. I am totally in favor of the Trap and Skeet Range reopening. Thank you.

**P.O. CARACAPPA:**

Thank you. James Kelly.

**MR. O'KELLY:**

How are you doing? I'm Jim Kelly. I'm a board member of SAFE and I think some of you know who I am and have seen me before. I'm in favor of 2216 and 2217, the funding bills for Southaven Park which will open up the shooting range and also rehabilitate the facilities for the horsemen at Southaven Park.

And I'm also in favor of 2228, which will •• what's that, John?

**MR. CUSHMAN:**

Approve the contract.

**MR. KELLY:**



Oh, approve the contract because I'd like to see my buddy Mark get it and he's right here. All righty. Thank you.

**P.O. CARACAPPA:**

Thank you. Patricia McEntee.

**MS. McENTEE:**

Good morning, Ladies and Gentlemen. I'm here basically representing myself, my family, my children, friends. We live in Nassau County and it would be a great time if something that I have started with my children many years ago, which was skeet shooting, right on our property Upstate. My son has finally become an age where he can do these sporting things on his own and in order to do that, he must travel three•and•a•half to four hours. He would love to be able to continue with this sport. He has a great time. It keeps children out of trouble, and I would appreciate if you would consider reopening the Trap and Skeet Range. Thank you.

**P.O. CARACAPPA:**

Thank you. Kenneth Gruenfelder.

**MR. GRUENFELDER:**

I want to thank legislation •• Legislators for giving me the opportunity to speak. I'm a retired New York City police officer who has enjoyed shooting sports since even before that in my military time. There are very, very few places today for shooting trap and skeet and it's one of the most challenging shooting sports because the target is moving and we enjoy that aspect of it.

I would appreciate it if you would approve this bill, 2216 and 2228, and give us the opportunity to have a nearby location, because I'm a Nassau County also, and have a to go a long distance to utilize my shotguns. And that's about it. Thank you very much.

**P.O. CARACAPPA:**

Thank you. Nancy Nunziata.

**MS. NUNZIATA:**

Good morning, Ladies and Gentlemen. My name is Nancy Nunziata and I'm

here to comment on resolution number 2263 as it relates to the Help Suffolk facility. I'm the Executive Director of Help Suffolk. For those of you who may not know, Help Suffolk is a transitional housing facility for 76 homeless families located in North Bellport.

**LEG. LINDSAY:**

Could you speak up? We can't hear you.

**LEG. SCHNEIDERMAN:**

Put the mike closer to you.

**MS. NUNZIATA:**

Okay. Can you hear me better? Again, I'm the Executive Director of Help Suffolk. Help Suffolk is a transitional housing facility for 76 homeless families located in North Bellport. I'm here today to ask you for your continued support of our program. Many of you have heard the arguments on both sides of the issue, but I'm again asking that you consider the important role that Help Suffolk has played over the last 15 years in caring for and helping to stabilize many of the County's homeless families.

We have made a lot of progress in addressing the homeless problem in the County, but there is obviously more work to be done. Help Suffolk stands ready to continue its mission of helping homeless families find permanent housing, obtain gainful employment, and remain self-sufficient. I appreciate your careful consideration of the resolution before you, and I look forward to continuing our mission in the future. Thank you.

**P.O. CARACAPPA:**

Thank you very much. Looks like John McConnell?

**MS. McCONNELL:**

It is Johan.

**P.O. CARACAPPA:**

Oh, I'm sorry. I was actually going to say Johan. It is a unique spelling.

**MS. McCONNELL:**

Yeah, it is an unusual spelling. My name is Johan McConnell. I'm President of the South Yaphank Civic Association. Good morning and I'm so happy all of you could make it on this snowy day. We were a little concerned yesterday at another meeting that I attended that you might not be able to make it.

The South Yaphank Civic Association represents 350 families that live in the area of the Trap and Skeet. Many are new residents who have never experienced the noise of the range. Residents who have lived with the noise from the range and residents whose families have lived in the area when the property was known as the Suffolk Lodge Game Preserve.

I do have some visuals. This is actually a map taken out of the Hagstrom map of 2000 and you can see is surrounding the area of the Trap and Skeet there is a minimal amount of development. This is a current map as of yesterday. You can see all the new streets. The ones in red are new developments that have occurred in the area. Also, you may not be able to see it on the map, but the Carmans River is directly in the Southaven Park. It's approximately 2,500 feet from the very edge of the Trap and Skeet.

I would like to provide additional information to the members of the Legislature concerning resolution 2216 and 2218. Noise is always an issue that is spoken of at public meetings and public portions of committee meetings. The argument presented by the supporters of the range is that the range was there first, and therefore the residents knowingly purchased their homes surrounding the range and had to expect the noise.

I would like to quote from the minutes dated May 6, 2004, of the Board of Trustees Suffolk County Department of Parks, Recreation and Conservation. Mr. Corwin stated that the sound abatement first began when 60 acres were taken near Gerard Road. Nassau Trap and Skeet came in and asked to release 60 acres for the Trap and Skeet range and in turn a clubhouse would be built there and begin a 25 year lease at \$25,000 a year for the Parks Department.

As soon as the shooting began one neighbor that lived across the street, Mrs. Glover, was upset with the noise and obtained an attorney and it was

determined Mrs. Glover receive a nuisance fee. She actually was paid \$1,200 a month. It would appear from this historical story that there were residents living on Gerard Road before the Trap and Skeet Range was operated by Suffolk County. A relative of Mrs. Glover continues to live in that same house and is opposed to the reopening of the Trap and Skeet.

The Trap and Skeet is located in the core preservation area of the Central Pine Barrens and in the New York State Carmans River watershed and drainage basin. The Pine Barren law is very specific about what can be built in the Pine Barrens and how the environment will be affected. Minutes from the Commission meeting held December 15, 2004, page 3, Southaven County Park Trap and Skeet Range improvements, determination of jurisdiction.

**P.O. CARACAPPA:**

Ms. McConnell, if you could just sum up your quote?

**MS. McCONNELL:**

Pardon me?

**P.O. CARACAPPA:**

If you could sum up. Your time has expired.

**MS. McCONNELL:**

Actually, I have a speaker behind me who is going to yield his time.

**MR. McCONNELL:**

I'm yielding.

**P.O. CARACAPPA:**

Actually you can't do that.

**MS. McCONNELL:**

All right. Then he will come up and continue to read.

**P.O. CARACAPPA:**

If he could just come up, that's fine. Next speaker is John McConnell.

**MR. McCONNELL:**

Good morning. My name is John McConnell. The Carmans River is one of only four relatively large undisturbed riverine ecosystems on Long Island. Despite the presence of small dams on the river, it remains an outstanding fish and wildlife habitat in the region. All of the river encompassed by the habitat has been designated by the New York State as a wild, scenic and recreation river under Article 15, Title 27 of the Environmental Conservation Law, to encourage preservation and restoration of its natural scenic and recreational qualities.

The river serves as a habitat for a great many important species, including State and local rare species and species of local concern for the economic or recreational value, executive summary page one. Carmans River environmental assessment, Suffolk County Department of Health Services prepared by Cashin Associates, March 2002. I'd like to quote from the Cashin Associates report, March 2002. "The area to be addressed, including the river, its drainage basin and the groundwater catchment area potentially feeding the river and one•and•a•half mile buffer around the river known and potential sources of contamination were identified with the surface drainage basin of the river or within 1.5 miles" •• okay.

Both the Town of Brookhaven and Suffolk County have identified the Carmans River as a critical environmental area pursuant to the State Environmental Quality Review, thereby distinguishing it as unique in regard to its environmental quality and sensitivity, and as such, worth of greater protection from potential significant adverse environmental impacts. The USFWS also recognizes the river as a priority wetland under the Federal Emergency Wetlands Act of 1986.

A private shooting range is located near the intersection of Yaphank Road and Victory Avenue. A private shooting range located west of Southaven Park appeared to have some lead contamination in surface soils. Lead contaminated sediments from the river shooting •• the private shooting range were removed in the 1990's. Unfortunately, the sediments we used as fill on the east bank of the river in the middle of Southaven Park.

**MS. McCONNELL:**

All right, we have a map that we would like to give out.

**MR. McCONNELL:**

What are we doing here?

**MS. McCONNELL:**

Just the map shows it's in the Carman River basin.

**MR. McCONNELL:**

Two of the reasons the former licensee was noticed of default was one, failure to conduct a thorough lead shot clean up. Two, failure to provide a complete sound level test analysis and report.

**P.O. CARACAPPA:**

Please sum up.

**MR. McCONNELL:**

Suffolk County Trap and Skeet status report 11•3•2005. Again, I would ask you to vote no on this resolution 2216•2005 and resolution 2228•2005. Or table the resolution so that more time can be given to study this information. Thank you.

**P.O. CARACAPPA:**

Thank you. Donald Orenstein. Mr. Orenstein? Present? Once, twice, sold. John Palasek.

**MR. PALASEK:**

Good morning. My name is John Palasek. I'm part of the Yaphank Civic Association. I know there's a lot of paperwork on this and I know it all can't be read in three minutes, but I just want to say that I believe there are still a lot of issues that haven't been fully addressed, that haven't been fully investigated. Noise issues, noise ordinances, health issues, environmental issues, etcetera, etcetera.

I get the feeling that this is just being rushed. I know it's been four years and I know that that's •• it seems a little •• all right, all right, all right. But



I think that it's been let's say rather inert for four years, nothing's happened and then all of a sudden in the last two weeks it seems like everybody's tripping over themselves to get this done.

I don't think that considering the impact it has on what is now a large community, a community that, by the way, hasn't been consulted in one form or another, any form as far as how this impacts us, which I think it ought to have been. I mean, the sportsmen groups were consulted as far as the RFP. Why weren't we consulted as far as the impact. I mean, we are the ones who ultimately will live with this. I think we should have some say in what goes on and how it is all done.

So, bearing all that in mind, I would like to see a vote of either no or a table and give some time to take a look at this a little further. Thank you.

**P.O. CARACAPPA:**

Thank you. David Waring.

**MR. WARING:**

Yes, I am in favor for the Trap and Skeet Range to be reopened.

**P.O. CARACAPPA:**

All right. Well done. I believe it's Wroobez, Mark. I'm sorry if I mispronounced that.

**MR. WROOBEL:**

It is Wroobel. Good morning. Mark Wroobel, representing Hunter Sports. I'm here in favor of 2216 and 2228 to reopen the range. And I give my promise to the Legislature that I will do everything to make sure that this range •• that you guys are proud of seeing this range.

We talk about environmentals and other issues that have come up. This has been going on for four years. There has been plenty of things that have been brought up. To quote from environmentals that we were given was that this is the best place in Suffolk County for this range to be.

And just here in favor and we're going to do the best job we can and try to reap the best economic boost for the County, not only from the range itself, but from the trickle down effect that this is going to have regarding the local economy through gas stations and restaurants and anything else that people will spend money in Suffolk County. Thank you.

***(Applause)***

**P.O. CARACAPPA:**

Thank you. Charles Tacke.

**MR. TACKE:**

Hello. My name is Charlie Tacke and I'm here in favor of the Suffolk Skeet Range to be reopened. I've been a competitive shooter since I was 14 and just recently retired from 35 years of teaching school and would like to be able to go out and do some shotgun shooting without having to drive all the way Upstate or over to Jersey or Pennsylvania. Thank you.

**P.O. CARACAPPA:**

Thank you. Good luck in your retirement. Robert Nicosia.

**MR. NICOSIA:**

Good morning, Ladies and Gentlemen. Thank you for the opportunity to speak. My name is Robert Nicosia. I am the Chief of the Wantagh Fire Department located at the gateway of Jones Beach in Wantagh. I am representing over 200 men and women in my department who are in favor of opening Suffolk County Trap and Skeet. It's a wonderful facility and rest assured, it's an excellent sport that we need to show our young people these days and I really would appreciate it if you would approve it and I thank you very much for your time. Have a great day.

**P.O. CARACAPPA:**

Thank you. You, too. Warren Wroobel.

**MR. WROOBEL:**

My name is Warren Wroobel and I'm here in support of the opening of the Trap and Skeet. And I think if Mark is given an opportunity you'll find not



only a professional to run it, but also a good neighbor to work with the people locally. As unhappy as they may be, I think we can do something that will make them happy. Thank you.

**P.O. CARACAPPA:**

Thank you. Michael Wroobel.

**MR. WROOBEL:**

Good morning, Ladies and Gentlemen.

**P.O. CARACAPPA:**

Good morning.

**MR. WROOBEL:**

I'm here to voice my support for the Suffolk County Trap and Skeet reopening. I believe it will be a boon for Suffolk County, both in the revenues derived directly from it as well as the ancillary revenues that all of the businesses in the area will be receiving from the draw of a great number of people. Thank you.

**P.O. CARACAPPA:**

Thank you very much. And Linda Wroobel. It's a family affair.

**MS. WROOBEL:**

Good morning. My name is Linda Wroobel and I'm here to strongly support the opening of the Yaphank Trap and Skeet Range. Thank you.

**P.O. CARACAPPA:**

Thank you very much. Deputy Chief of Patrol, Donna Engel.

**DEPUTY CHIEF ENGEL:**

Good morning. I'm Donna Engel, Deputy Chief of Patrol for the Suffolk County Police Department. I'm here to address the issue of the resolution concerning the establishment of a police substation in Huntington.

The Police Department's current philosophy is to get cops out from behind desks. In that vein, what we're looking for is to get the cops out there and

we have no objection to a location where the officers can go in and go fill out some paperwork, bathroom break or meal period, but we're not supportive of staffing an office, a satellite office, or a substation on a full•time basis.

**P.O. CARACAPPA:**

Thank you.

**DEPUTY CHIEF ENGEL:**

Thank you.

**P.O. CARACAPPA:**

Susan VonFreddi.

**MS. VON FREDDI:**

Good morning, everybody. My name is Susan Von Freddi. I want to thank you for allowing me to speak today on behalf of the Suffolk County Downtown Revitalization Citizens Advisory Board. All in one breath. I'm speaking on behalf of resolution number 2299, allocating downtown revitalization funds for phase five.

As a member of the Board, we have reviewed many vital and exciting projects and have recommended those that will have the greatest impact on their communities. These •• this round of funds has been much greater in amount than the past previous rounds, and communities such as Bay Shore, Brentwood, Smithtown, Huntington, Greenlawn and many others will receive funds that will have a tremendous impact on revitalizing their downtowns. It is very important for making a better quality of life and I believe that this particular round of funds will do that by making their communities better. The snowball affect that these funds will have on these projects will enable businesses and communities to better improve their status and their quality of life. And I hope that you will vote for this resolution. Thank you.

**P.O. CARACAPPA:**

Thank you. Bill Kirchhoff.

**MR. KIRCHHOFF:**

Good morning, Ladies and Gentlemen. I'm a retired New York State court

officer. I'm currently an NRA training counselor who teaches instructors to be instructors. I'm also a merit badge counselor for the Boy Scouts. This is one of the few locations that we have that we're able to train Boy Scouts for their shotgun merit badge.

Additionally, I am a home owner in Lindenhurst and I'm a home owner in Shirley. I purchased my home in Shirley 23 years ago. At that time I could have purchased property for \$15,000 less had I chose to purchase by the range. I live approximately three•quarters of a mile from where the range is. I made my choice, the same as these people made their choices.

There has been three people that have spoken this morning to my count that have opposed to the range. We have been here for four years. We have had overwhelming support by the majority of people that have testified before this committee. This is my sixth time testifying before this committee. I hope that you move today to finally resolve this issue, open this range at the earliest possible date. I support the two bills before the County today and I hope that you pass them. Thank you very much.

***Applause***

**P.O. CARACAPPA:**

Thank you. Elyse Richman. Ms. Richman? Once, twice. Did someone fill out this card for her? Katharine Marshall •• Kathleen Marshall.

**MS. MARSHALL:**

Hi. Good morning. My name is Kathleen Marshall. I'm a Suffolk County resident. I'm one of the few women shooters here today and I'm in favor of 2216 and 2228. Thank you very much. I hope we get this done.

**P.O. CARACAPPA:**

Thank you very much. Stanley Kessler.

**MR. KESSLER:**

Good morning. I'm a Suffolk County resident and I'm all in favor of opening up the Suffolk County Trap and Skeet Range. I'd also like to remind people

that years ago when they really started developing around the Trap and Skeet Range one of the advertising features that the builders used was that it was convenient to the Suffolk County Trap and Skeet Range. Let's get it opened. It's been going on four years already. Some of us would like to see it open before we die. Thank you.

### ***Applause***

**P.O. CARACAPPA:**

Lance Mallamo.

**MR. MALLAMO:**

Good morning. Lance Mallamo, Executive Director of the Suffolk County Vanderbilt Museum. I'm here today to enlist your support of IR 2207, which modifies the new investment policy for the museum. Actually the modification is only extending the date for one year. This is our annual renewal. The policy has been working well the past several years and we hope you'll look forward •• you'll work with us to extend it until the end of December 2006 so that we can maintain a monthly endowment revenue to the museum. Thank you very much.

**P.O. CARACAPPA:**

Thank you, Lance.

**LEG. LINDSAY:**

Thank you.

**P.O. CARACAPPA:**

Okay. Walter Happle. Happle? I'm sorry. Walter? It like H•a•p•p•l•e. Bridal Path, Westhampton Beach. Once, twice.

**LEG. LOSQUADRO:**

Sold.

**P.O. CARACAPPA:**

Sold American. Mason Haas.

**MR. HAAS:**

Good morning. My name is Mason Haas. I'm a representative of the Suffolk County Title Examiners who license space here in the County Clerk's Office to produce title reports that you, the home owner, needs in order to close or get a mortgage.

We are currently working without a license agreement. It expired a couple of years ago. It was brought about under a resolution that was worked out with this Legislative body back •• I believe 1997. Today you're going to be discussing a resolution, resolution number 2134. That resolution is being brought forth by Mr. Kennedy, Legislator Kennedy, who has experience and knowledge of what we do as he worked here in the County Clerk's Office for quite some time.

For the past year I and numerous representatives of the Suffolk County Title Examiners and representatives of New York State Land Title Association have been sitting with the County Exec's representatives to work out a fair and equitable agreement. What has been produced or given to us is not what we consider a fair and equitable agreement. We have laid numerous things down on the table, thrown things back and forth, and when we had asked where we stood with those things we were always told we'll get back to you.

One of the title examiners, Thomas Caufield, under FOIL requested information from the County and received that information three months later. That information was produced to us after our last meeting with the County Exec's representatives who could not tell us how they arrived at their figures. Those papers that you were given just recently, I am asking that you look at the highlighted areas and go over those highlighted areas and give them some thought.

The problem is, is that we are being given a license agreement that we have to sign this month and there are errors in how they came about with those figures. They've inflated figures, they backed in the rates. There's a page there with a handwritten memo that you'll see. I'm just going to point that one out to you and on it it states \\_Duffy\\_ wants close to \$7,000, \$600 a

month. When that memo came out, the square footage that was used was increased.

We are asking that you in good conscience look at this, talk to Mr. Kennedy. He understands what we're doing. We're not saying we are not willing to pay, we're not asking for anybody not to •• to subsidize us, we're asking for a fair and equitable agreement. So, again, I ask that you take a look at that before you vote this afternoon on 2134. Go through it. You'll see the highlighted areas where figures have been changed and vote with a conscience on this. Thank you very much.

### ***Applause***

#### **P.O. CARACAPPA:**

Thank you. Shawn Cullinane.

#### **MR. CULLINANE:**

Good morning, Ladies and Gentlemen. My name is Shawn Cullinane. I'm the Village Clerk Treasurer for the Village of Lindenhurst. Thank you for the opportunity to speak this morning. I just want to speak a little bit about resolution 21093. This would be authorizing the planning steps and acquisition of property under the Suffolk County Quarter Percent Drinking Water Protection Program. I was before the legislative Environmental Committee on Thursday to speak about this. There were several questions. We had a good discussion about it, and if I could just take a moment or two just to go back to that legislative meeting.

There's a question by Legislator Vilorio•Fisher regarding the property being partially under water. We took a look at that again. The vast majority of property is dry, it is above the mean low tide. It is common for a lot of property on any waterfront that some of the property gets eroded and it is partially under water depending on the tide. So that's what that piece of property is. But, again, if we look at the map and look at the survey it is clearly well above the water line.

Also, Legislator Kennedy was speaking a little bit about the costs that were involved. We took a second look at that and a lot of things that were not

discussed that day including design, environmental study, landscaping, legal, and redevelopment costs, so it is definitely going to be a lot more than we had initially talked about. That would be including the demolition and the fencing that we had talked about. So the project certainly will be extensive.

I just, again, want to encourage the Legislators to support this particular acquisition. It is a good project for us in the Village of Lindenhurst. It is coming from funding that is directly related to the Town of Babylon. There is money set aside for that. And we would hope that the Legislature would support it. I know we're •• we have support in Legislator Bishop from our district, so I don't know if there were any questions about this particular •• at this moment.

**P.O. CARACAPPA:**

Thank you, Shawn. Eileen Powers.

**MS. POWERS:**

Mr. Caracappa, members of the Legislature. My name is Eileen Powers. I'm an attorney here in Riverhead and I've been retained by the title examiners to address you today on resolution 2134. The resolution in effect would buy us more time to negotiate with the County Executive over the proposed license agreement for the title examiners down the hall here in the County center.

As you're aware or you may not be aware, this matter last appeared before the Ways and Means Committee earlier this month. A large number of the title examiners appeared before members of your committee or your Legislature that day to address you on the issue. I'd ask at this time that the minutes and the transcript from those •• from that committee meeting be incorporated here and made a part of the record here so that their comments •• they don't have to go through them again for you.

What we have so far between the County Executive and the title examiners is a license agreement that calls for a 300% rent increase, an increase that I think everybody here would agree would startle any business owner. They want an attempt •• a chance to •• they want a chance to negotiate this



further with the County Executive before we have to take further action. I am certain at this point that Mr. Levy's staff believes they have negotiated in good faith. I'm sure he thinks that the 300% increase is going to be attributed to the million dollar title industry, but we're here to tell you that that's not the case at all.

The attempt is to put the 300% increase on the smallest guy in the business and we'd ask that you vote in favor of 2134 so that the title examiners can have a further attempt to discuss this with Mr. Levy's staff. Thank you.

***Applause***

**P.O. CARACAPPA:**

Thank you. Sharon Frost.

**MS. FROST:**

Thank you for giving me the opportunity to speak. I'm here in support of the moratorium on the development at Gabreski Airport that Legislator Schneiderman has proposed. My community has grave concerns •• grave concerns regarding the development with just cause. Until very recently, all of Gabreski's business has been conducted in great secrecy without any opportunity for meaningful public input. I'm sorry. This public speaking thing makes me a little nervous.

**P.O. CARACAPPA:**

Take your time.

**MS. FROST:**

I'm holding on so I don't shake right out the door. The lack of trust has been building for years and has peaked with the recent release of the draft master plan. Executive Levy's denouncement of the plan has helped to relieve some of our concerns, however, we are still reminded of them with a second tabling of the moratorium at the Economic Development Committee meeting on November 30th.

It is our understanding that the moratorium was tabled with the FA •• until the FAA produces a written statement that it has no objection. We question



whether this statement will be forthcoming in a timely manner and fashion. The moratorium on all civil aviation construction is needed to allow the newly formed Gabreski Airport Community Advisory Board to get up to speed with airport operations so that we can assist the County in developing a true master plan that my neighbors and the surrounding communities can live with.

I believe that this moratorium would be supported by all voters of all Legislative districts in Suffolk County. In District 1 Legislator Caracciolo was faced with problems •• problem of Plum Island and those residents have the sympathy of the residents in District 2, and I believe they would sympathize with us. In District 3, Legislator O'Leary, the residents surrounding Brookhaven airport would support the concerns of the residents surrounding Gabreski Airport. In District 8, Legislator Lindsay, I'm sure your constituents would support the community surrounding Gabreski Airport due to their experience with McArthur Airport. I would go on to remind each of you •• I could go on reminding each of you about issues in your district where you need support from District 2.

Please show good faith by halting the aviation construction at Gabreski and give us a chance to make the Gabreski master plan the best it can be so we can enjoy the peaceful serenity of our backyards. Thank you.

**P.O. CARACAPPA:**

Thank you. Perfect timing, too. Right on the money. Walter Rabe. Walter, you're up.

**MR. RABE:**

Good morning, members of the Legislature. My name is Walter Rabe. I am on the Citizens Advisory Committee for Downtown Revitalization. I am here this morning to speak on resolution 2299. The Downtown Revitalization Program is a very needed program here on Long Island and the Legislator had appropriated \$500,000 for this program. We had \$150,000 left over from previous grants that were not used and so we had \$650,000 to give out.

The committee has met over the last approximately six months working on

these grants. Thirty•three •• thirty•three applications were received totaling 2.3 million dollars, about four times as much money as we had to appropriate and the committee worked very hard. I'll show us what some of the grants •• this is the stack of grants that were submitted. Some of them are like 100 pages long. All the committee members had to read all these grants. It was decided that they were going to do a point system and which they did. Fourteen •• I believe 14 organizations will receive money if you approve resolution 2299 this morning.

We felt also that in the future here we're going to be asking the County for more money for downtown revitalization because \$500,000 is not enough. So we would appreciate if you would vote yes on this.

And I do want to make one note that out of all the representatives on the committee, I was the only committee •• this was a new change in the committee. Usually all the money is divided up equally to all the Legislators. This year the committee decided to pick more meaningful projects and it did work out that most of the committee members, most of the Legislators will get money in their organizations. I was the only committee member to vote against this new policy, but after working on it for several months I felt that it was fair and that a lot of organizations will receive money that will make downtowns a lot nicer. Thank you very much.

**P.O. CARACAPPA:**

Thank you. Bob, can you close those blinds, please? I have no other cards. Motion by myself to close public portion. Second by Legislator O'Leary. All in favor? Opposed? Abstentions? Public portion is now closed. Motion by myself •• all Legislators please report to the horseshoe. Motion by myself, second by Legislator Lindsay, to approve the consent calendar. All in favor? Opposed? Abstentions? The consent calendar is approved.

**MR. BARTON:**

16.

**P.O. CARACAPPA:**

The warrants, they're in your •• you have a separate packet with the warrants in it. There's a cover sheet within that packet. Okay. Everyone

ready? These are introductory tax resolutions for today's meeting. ***IR 2366 (Levying unpaid water rents)***. Motion by myself, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16.

**P.O. CARACAPPA:**

***2367 (Implementing budget, staff and taxes for the fiscal year 2006 (mandated))***. Motion by myself, second by Legislator Lindsay. All in favor? Opposed?

**LEG. CARACCILOLO:**

Opposed.

**P.O. CARACAPPA:**

Abstention? One opposition, Legislator Caracciolo.

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

Next is ***2368 (Implementing budget, staff, and taxes for the fiscal year 2006 (discretionary))***. Motion by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16.

**P.O. CARACAPPA:**

***2369 (Authorizing that the tax warrants for the fiscal year 2006 by signed by the Presiding Officer and Clerk of the County Legislature and that they be annexed to the tax rolls for the collection of taxes)***. Motion by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16.

**LEG. BISHOP:**

Can I ask a question on the warrant.

**P.O. CARACAPPA:**

They are approved but ••

**LEG. BISHOP:**

Yeah, I know. I know they are approved.

**P.O. CARACAPPA:**

I recognize Legislator Bishop.

**LEG. BISHOP:**

I just want to know is this the last adjustment, right? There's not going to be any formula that comes down after this or •• some years you find that you think your done and you are not done.

**P.O. CARACAPPA:**

That is the •• well, actually, as it relates to the budget process that's the final installment. Now, we may do things between now and the end of the year, such as later this afternoon when we deal with the retirement bill, that's going to throw the whole budget process out of whack, if that is what you are asking.

**LEG. BISHOP:**

That wasn't what I'm asking, but that's a good answer.

**P.O. CARACAPPA:**

Finally, a good answer.

**LEG. BISHOP:**

What I was concerned is I know there are years where we vote and it may be at the levy stage and not at the warrant stage and we have one set of numbers from Albany and then we get adjustments on the formula and you

find that your projected tax decrease is now turned into a small tax increase or vice versa. I wanted to know if there were anymore opportunity for change.

**P.O. CARACAPPA:**

Mr. Lipp.

**MR. LIPP:**

No.

**P.O. CARACAPPA:**

This is it.

**LEG. BISHOP:**

No. We have no bananas.

**LEG. VILORIA • FISHER:**

Succinct and to the point.

**LEG. BISHOP:**

Excellent.

**P.O. CARACAPPA:**

Okay. I'd like to skip to page 14, if you would, on the introductory resolutions to take two bills out of order so that we can get people home or to work or back to their lives.

Motion by myself second by Legislator Nowick to take ***2216, 2216A (Appropriating funds in connection with improvements at the Trap and Skeet Shooting Range at Southaven County Park (CP 7097)*** out of order. Motion by myself and second to take out of order. All in favor? Opposed? Abstentions? It is now before us.

**MR. BARTON:**

16.

**P.O. CARACAPPA:**

There's a motion. Is there a motion to approve?

**LEG. CARACCILOLO:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Caracciolo, second by Legislator Losquadro. Roll call.

***(Roll called by Mr. Barton • Clerk)***

**LEG. CARACCILOLO:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Absolutely.

**LEG. BINDER:**

(Not present)

**LEG. MYSTAL:**

(Not present)

**LEG. BISHOP:**

Get these guys off the street, yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

(Not present)

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

No.

**LEG. SCHNEIDERMAN:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

15 on the bond. (Vote amended to 14•1 Not Present for Roll Call:  
Legislators Binder, Mystal and Foley)

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution. I'd like to make a motion, second by Legislator Losquadro, to take 2228 out of order. All in favor? Opposed? Abstentions?

**LEG. CARACCILO:**

Abstain.

**P.O. CARACAPPA:**

One abstain.

**LEG. O'LEARY:**

Two abstains.

**P.O. CARACAPPA:**

Two, Legislator Caracciolo and Legislator O'Leary.

**MR. BARTON:**

13.

**P.O. CARACAPPA:**

2228 is now before us. ***2228 (Authorizing license agreement with Hunter Sports, Inc., for Trap and Skeet Shooting Range at Southaven County Park)***. Motion by myself, second by Legislator Losquadro. All in favor? Opposed?

**LEG. CARACCIOLO:**

Opposed.

**P.O. CARACAPPA:**

Opposed, Legislator Caracciolo.

**MR. BARTON:**

14.

**LEG. O'LEARY:**

Abstain.

**P.O. CARACAPPA:**

It's approved and one abstention.

**MR. BARTON:**

13.



**P.O. CARACAPPA:**

Thirteen, that's approved. Okay. That's done.

**MAN IN AUDIENCE:**

Thank you.

**P.O. CARACAPPA:**

You're welcome.

Resolutions tabled Page 10. If everyone could just, who are vacating, do it as quietly as possible.

While the room is clearing out, if the little side conversations can be taken outside. We'll take a ten minute recess. Ten minutes.

(The meeting was recessed at 10:20 a.m. and reconvened at 10:40 a.m.)

Roll call, please.

***(Roll called by Mr. Barton • Clerk)***

**LEG. CARACCILOLO:**

Here.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. O'LEARY:**

(Not Present)

**LEG. VILORIA • FISHER:**

Here.

**LEG. LOSQUADRO:**

(Not present)

**LEG. FOLEY:**

(Not present)

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. BISHOP:**

(Present)

**LEG. MYSTAL:**

Here.

**LEG. BINDER:**

(Present)

**MS. BURKHARDT:**

Legislator Binder is here.

**LEG. TONNA:**

Here.

**LEG. COOPER:**

Here.

**D.P.O. CARPENTER:**

(Not present).

**P.O. CARACAPPA:**

Here.

**LEG. FOLEY:**

Henry.

**LEG. O'LEARY:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. FOLEY:**

Present.

**LEG. BISHOP:**

(Present)

**D.P.O. CARPENTER:**

(Present)

**MR. BARTON:**

17 present, Mr. Chairman.

**P.O. CARACAPPA:**

Resolutions tabled. Page 10. ***1086 (A Charter Law to create the Real Estate Acquisition Anti-Corruption Reform Act)***. Legislator Caracciolo, what's your pleasure?

**LEG. CARACCILOLO:**

I'm sorry?

**P.O. CARACAPPA:**

1086.

**LEG. CARACCILO:**

1086. Motion to table.

**P.O. CARACAPPA:**

Table. Second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1694 (Authorize the commencement of Eminent Domain Proceedings for Mediavilla property, Town of Huntington).***

**P.O. CARACAPPA:**

Motion to table by Legislator Binder, second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2102 (A Local Law to promote the health of Suffolk County residents by restricting the use of toxic lawn chemicals by unlicensed applicators in Suffolk County).*** Motion to table by myself, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1110 (Amending the 2005 Operating Budget and Salary and Classification Plan to establish a Compliance Officer to insure accountability).*** Motion to table by myself, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1129 (Amending the 2005 Operating Budget to streamline and consolidate County government by eliminating the proposed separate Department of Environment and Energy).*** Same motion, same second, same vote.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1300 (A Local Law to establish a County policy to enhance zoning and building code enforcement by Towns and Villages to protect Suffolk residents from substandard rental housing).*** 1300 was supposed to come over as a CN today, but what I'm told, now it isn't, so. And under the fact that I made some changes and it doesn't fall under the seven day rule, we can't act on it. It is ready, though. Legislator Losquadro.

**LEG. LOSQUADRO:**

I guess my question was already answered. I was going to inquire as to why this was not ready to move. I thought we had consensus on this.

**P.O. CARACAPPA:**

We do. I thought we did. We have final •• the final version of the language, but that •• the final change was done just a few days ago, so that's that. So, I'm making a motion to table.

**LEG. MONTANO:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Montano. All in favor? Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

Henry. Henry, put me down as opposed to tabling on 2102, please.

**P.O. CARACAPPA:**

Excuse me?

**LEG. SCHNEIDERMAN:**

On 2102, I'm just saying •• I'm asking Henry to put me down as being opposed to the tabling of 2102.

**P.O. CARACAPPA:**

That was done earlier, I believe.

**MR. BARTON:**

It was.

**P.O. CARACAPPA:**

***1349 (Directing the Director of Real Estate to locate property to re-establish Police Department Field Office in Huntington Village).***

**MR. BARTON:**

18 on 1300. It's tabled.

**P.O. CARACAPPA:**

Legislator Binder, what's your pleasure? 1349.

**LEG. BINDER:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table. Second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1645 (To authorize new Bay Shore Health Center).***

**LEG. ALDEN:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table, second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1714 (To renew, reauthorize, revise and revamp the Suffolk County Downtown Revitalization Program).***

**LEG. MONTANO:**

Motion to table.

**P.O. CARACAPPA:**

Second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1818 (A Charter Law to secure private property rights).*** Allan.

**LEG. BINDER:**

Motion to table.

**P.O. CARACAPPA:**

Second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***1939 (A Charter Law to amend the Suffolk County Charter to provide for on•going public disclosure of Operating Budget status).***

Legislator ••

**LEG. CARACCILOLO:**

I'm sorry?

**P.O. CARACAPPA:**

1939. It's a Charter Law to amending the Suffolk County Charter to provide for on•going public disclosure of Operating Budget status.

**LEG. CARACCILOLO:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table. Second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Let's skip over 1957. ***1994 (To enact "Alec's Law" to help protect Suffolk children from SUV accidents).***

**LEG. ALDEN:**

Motion to table.

**P.O. CARACAPPA:**

Second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

2134, motion to •• oh, you want to skip over it for now? Okay. Skip over that for now. Budget and Finance, page 11. ***2005 (Amending the 2005 Operating Budget to create one new position in the Tobacco Cessation Program within the Department of Health Services).***

Motion by Legislator Vilorio•Fisher, second by Legislator Carpenter. All in favor? Opposed? Abstentions?



**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2065 (Amending the 2005 Operating Budget and transferring funds to the appropriate Debt Services Account to pay debt service costs associated with the Environmental Facilities Corporation).*** Motion by myself. Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2198 (To readjust, compromise and grant refunds and charge •backs on real property correction of errors by: County Legislature (Control #744•2005)).*** Motion by myself, second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2224 (To readjust, compromise and grant refunds and charge •backs on real property correction of errors by: County Legislature (Control #743•2005)).*** Same motion, same second, same vote.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2296 (To readjust, compromise and grant refunds and chargebacks on correction of errors/County Treasurer by: County Legislature No. 224).*** Same motion, same second, same vote.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Economic Development, Higher Education and Energy. **2139 (Approving the appointment of Michael A. Johnston as a member of the Suffolk County Motion Picture/Television Film Commission).** Motion by Legislator Lindsay, second by Legislator Bishop. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

**2258 (Accepting and appropriating a grant award from the State University of New York for a Community College Workforce Development Training Grants Program for Aerospace and Defense Corporations on Long Island 88% reimbursed by State funds at Suffolk County Community College).** Motion by myself, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

**2259 (Accepting and appropriating a grant award from the State University of New York for a Community College Workforce Development Training Grants Program for INFOSYS International, Inc. 90% reimbursed by State funds at Suffolk County Community College).** Same motion, same second, same vote.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

**2260 (Accepting and appropriating a grant award from the State University of New York for a Community College Workforce**

***Development Training Grants Program for State Bank of Long Island 90% reimbursed by State funds at Suffolk Community College).***

Same motion, same second, same vote.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2261 (Accepting and appropriating a grant award from the State University of New York for a Community College Workforce Development Training Grants Program for Maran Corporate Risk Associates, Inc. 90% reimbursed by State funds at Suffolk County Community College).*** Same motion, same second.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2262 (Accepting and appropriating a grant award from the State University of New York for a Community College Workforce Development Training Grants Program for a Retail Skills Center 60% reimbursed by State funds at Suffolk County Community College).*** Same motion, same second.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2285 (Establishing a Task Force to promote Workforce Housing and Economic Development through the timely processing of permit applications in Suffolk County).*** Motion by Legislator Nowick.

**LEG. ALDEN:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Alden. Passed committee four•zero. All in favor?

Opposed? Abstentions?

**LEG. VILORIA•FISHER:**

I'm opposed.

**LEG. COOPER:**

Opposed.

**LEG. MONTANO:**

Opposed.

**P.O. CARACAPPA:**

Opposed Legislator Viloría•Fisher, Legislator Cooper and Legislator Montano.

**MR. BARTON:**

15.

**LEG. TONNA:**

I'm opposed also.

**P.O. CARACAPPA:**

Tonna. That's 14. Anyone else?

**MR. BARTON:**

14, four in opposition.

**P.O. CARACAPPA:**

Thank you. ***2299 (Allocating Downtown Revitalization Funds (Phase V) and amending the Adopted 2005 Capital Budget and Program and appropriating the 2005 Downtown Revitalization Funds in connection with the Suffolk County Downtown Revitalization Program (CP 6412).***

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley. Second by Legislator Carpenter. All in favor?  
Opposed? Abstentions?

**LEG. COOPER:**

Cosponsor, Henry.

**MR. BARTON:**

18.

**LEG. BISHOP:**

Yeah, I'd like to cosponsor as well but I ••

**P.O. CARACAPPA:**

I recognize Legislator Bishop.

**LEG. BISHOP:**

•• just want to say something about the downtown program and how it's evolved. There •• it's been •• it was said in the newspaper that the funding across the board equally and primarily for projects like planters and decorative lighting was not necessarily smart funding. I think that's something that the Legislature should be very proud of. That program has made a major difference throughout Suffolk County.

**D.P.O. CARPENTER:**

Absolutely.

**LEG. BISHOP:**

And the fact that we did it equally and focused on those initial projects was necessary and I think that now we can take the next step and rank the projects and allow the committee to do its work. But the work that we did is nothing that we should be ashamed of because I think it's being portrayed in some circles as something that was political rather than governmental and that's truly false, and I think that the downtown program, if you drive throughout this County you could see that it's made a great difference in those communities, allows them to compete against the box stores and it's a source of community provide.

**P.O. CARACAPPA:**

Well said.

**D.P.O. CARPENTER:**

If I could.

**P.O. CARACAPPA:**

Legislator Carpenter.

**D.P.O. CARPENTER:**

Thank you. I really want to echo Legislator Bishop's comments having been in support of this and working with him on this from the very beginning. He is so right. I mean, if you drive through some areas of this County that never had attention paid to it before there is a vast difference that has been made and I am proud to have been a part of it and happy to see this moving to the next level.

**P.O. CARACAPPA:**

Very good. Moving on. ***2302 (Establishing a task force to study the feasibility of increasing revenues and promoting economic development by establishing a horseracing track in Suffolk County).***  
Motion by Legislator Cooper.

**LEG. COOPER:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table by Legislator Cooper, second by Legislator Tonna. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Can't get out of the gate on that one, huh, Jonathan?

**LEG. ALDEN:**

Ba•da•boom.

**P.O. CARACAPPA:**

***2322 (Authorizing the temporary transfer of development rights to Uncle Wally's LLC).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by Legislator Foley.

**LEG. O'LEARY:**

Cosponsor Henry.

**P.O. CARACAPPA:**

All in favor? Opposed? Abstentions? On the motion, before you call the vote, Legislator Alden.

**LEG. ALDEN:**

Don't we have to do the CN? They changed the name. I'm sorry, what?

**P.O. CARACAPPA:**

Counsel?

**MS. KNAPP:**

There is a CN. I've already seen it. The only difference is that the name of the property owner is incorrect in the current version of 2322 that you have before you, and the CN will have the name of the property owner correct.

**LEG. ALDEN:**

So can we pass this, or have to pass this again basically.

**MS. KNAPP:**

You shouldn't pass this, you should pass the C••

**LEG. BISHOP:**

Motion it table subject to call.

**LEG. NOWICK:**

Why don't we wait on it.

**P.O. CARACAPPA:**

Just skip over it. There was a misunderstanding between Counsel and myself earlier about having to do both of them. ***2329 (Approving the appointment of Lora Fox Gamble as a member of the Suffolk County Motion Picture/Television Film Commission).***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Schneiderman.

**LEG. FOLEY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Foley. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

EPA. ***2061 (A Local Law to clarify Planning Commission jurisdiction).***

**LEG. LOSQUADRO:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Losquadro.

**LEG. O'LEARY:**



Second.

**P.O. CARACAPPA:**

Second by Legislator O'Leary.

**LEG. ALDEN:**

Explanation.

**LEG. CARACCILOLO:**

Explanation.

**P.O. CARACAPPA:**

Counsel.

**MS. KNAPP:**

2061 is the County Executive's local law that would •• would clarify •• I mean, the title is perfect. It clarifies the Planning Commission jurisdiction by adding certain sections that are presently included in County •• in State law as being within the jurisdiction of the Planning Commission and it just amends our code to reflect the actuality of State law.

**LEG. ALDEN:**

This expands the jurisdiction?

**MS. KNAPP:**

It does expand it.

**LEG. VILORIA•FISHER:**

But it conforms with State law.

**LEG. ALDEN:**

Is there a brief way that you could just, you know, outline the expansion?

**MS. KNAPP:**

It's not going to be easy to do it very briefly, but certainly ••

**LEG. ALDEN:**

I'm not on this committee and so I didn't hear the evidence that was developed in the committee.

**MS. KNAPP:**

Okay. Let me bring it up and I'll go through it. It amends about six different sections of the code. By •• Services by the Planning Board is probably the simplest one. Each town and village in Suffolk County having jurisdiction to adopt a zoning code before final •• taking final action shall refer to the Planning Commission. And it refers to the section of State law where that's found.

The referral of certain municipal actions, we add to a list that currently exists of six boundary •• six conditions that require a referral and we're very familiar with the first one, most typical, if it's within five hundred feet of a boundary with any village or town.

They've added a seventh one that says a boundary of farm operation located in an agricultural district as defined by the New York State go Ag and Markets Law. That particular change is carried through on some of the other.

A14•22, which is certain special permits that have to be referred to, the Planning Commission, again, that same requirement is added. If it's within five hundred feet of the boundary of a farm operation governed by the Agricultural and Markets Law. That same change again is made to 14•23, which is certain variances that have to be referred.

As I say, overall I would describe this as a lengthy amendment that •• that corrects our code to make it in line with State law. The next one is a referral of subdivision \\_plats\\_ and, again, the same addition.

**LEG. ALDEN:**

Maybe I can just •• as far as mandatory action that a town has to take, does this change the relationship between •• in the past we've been advisory, is that not correct?

**MS. KNAPP:**

There are •• the State law requires super•majorities in some cases where the Planning Commission has rejected.

**LEG. ALDEN:**

Right. Does that change a lot of categories or just a few on the super •majority requirement?

**MS. KNAPP:**

To the extent that there are more than half a dozen changes, I suppose •• but as I say, the changes all seem to be in conformity with what we really should be doing under State law.

**LEG. ALDEN:**

Okay, thanks.

**LEG. KENNEDY:**

I'd just like to follow•up and the question is to Counsel. I recall at the meeting, as a matter of fact, with the exchange with the Commissioner from Planning that, in fact, he did agree that the powers that they're seeking to be codified have always been there by virtue of the fact that the state enabling legislation grants and provides a Planning Commission at a county level, and though not necessarily enumerated in the code, they have them as derivative.

I believe he indicated that he felt that there have been several occasions where he •• they were called upon to have to go through explanation when there was challenge from an applicant. Is that correct?

**LEG. VILORIA•FISHER:**

Yeah.

**MS. KNAPP:**

Again, I don't recall his exact words, but I remember when I read this I checked the sections of the State law and felt very comfortable with the fact that they were just bringing our code in line with State law requirements.

**LEG. KENNEDY:**

But that, in fact, the powers have always been there.

**MS. KNAPP:**

Under State law. I mean, I suppose an applicant who is aggrieved by something that the Planning Commission has done would probably •• might try to bring a lawsuit based upon the fact that the County code had not granted the same powers as State law. Whether it should have granted those powers, of course, is another issue. It seems to me to be a fertile source of litigation.

**LEG. KENNEDY:**

Thank you.

**P.O. CARACAPPA:**

There's a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2072 (Authorizing the Suffolk County Executive's Office to be the signatory on all Environmental Restoration Program grant related documents).*** Is there a motion?

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley. Is there a second?

**D.P.O. CARPENTER:**

Explanation.

**LEG. LINDSAY:**

I'll second it.

**P.O. CARACAPPA:**

Second by Legislator Lindsay. Explanation, please.

**MS. KNAPP:**

This is a •• well, I see veto coming up. This one isn't •• apparently this relates very directly to one specific grant from New York State. And it appears that the state agency involved requested that this Legislature pass a resolution authorizing a specific individual to be able to sign their grants. The discussion that took up a great deal of time at the committee was the fact that the language refers to including but not limited to ••

**LEG. LOSQUADRO:**

Multiple individuals.

**MS. KNAPP:**

Paul Sabatino. It listed other •• it listed other individuals and then referred to Mr. Sabatino by name and there was a confusion as to whether or not it really was one specific individual or whether other people were being authorized.

**P.O. CARACAPPA:**

Mr. Minei?

**MR. MINEI:**

Vito Minei. Director of Environmental Quality for the Health Department.

**P.O. CARACAPPA:**

Your mike is not on.

**MR. MINEI:**

Again, I'm Vito Minei. I'm Director of Environmental Quality for the Health Department. And as Counsel expressed, that is correct. As I indicated at the Environment Committee we double checked with the State DEC. We received once again their guidance package for the Environmental Restoration Program often referred to as brownfields. They do, indeed, want an individual designated.

I apologize. My staff included that generic language. We were hoping to cover other state grants that are pending right now that don't have that definitive designee, but for the case of the brownfields applications listed in this resolution, we do indeed need a specific person and the Chief Deputy County Executive, Mr. Sabatino, has been the one signing. So, again, apologize for the lack of clarity. But for the sake of this resolution, if you want us to, you can strike that language, but not limited to, and then it would be correct and consistent with the state guidance.

**P.O. CARACAPPA:**

Then we'll have to make a motion to table, which I'll do. Unless there's a CN, but as of right now I'll table it. Is there a second?

**LEG. O'LEARY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator O'Leary. On the motion, Legislator Alden, Losquadro, and then Foley.

**LEG. ALDEN:**

Just one concern, and Vito, maybe you can take this back. Vito, it's Cameron, right here. You could take this back. My concern would be that if you name, and maybe that's what New York State had in mind, but if you name an individual and that individual either leaves government or becomes incapacitated ••

**MR. MINEI:**

You'd have to do it again.

**LEG. ALDEN:**

Right.

**MR. MINEI:**

That was the guidance we had from one. The concern I expressed in the Environment Committee is we have another grant due today for the Department of State. It's called the Quality Communities Program and I was

hoping to get it approved today so that we could indicate on that grant application package that indeed we had a resolution authorizing Mr. Sabatino.

But you're correct, Mr. Alden. And the State kind of gave us the shrug and said well, if that person leaves you'll have to change it, and that's why we thought we were being clever by having a resolution that said not limited to, but it's obviously caused too much confusion. The guidance from the State is to have a specific designee and you have that in there, and personally I'd appreciate if we could approve it today.

**P.O. CARACAPPA:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Yes, thank you. I'm glad that was finally cleared up on the State level. That was the concern of myself and other members of the committee, that this resolution in its current form would be deficient legally by listing multiple individuals. That was our concern, that either the State wanted a title, or they wanted an individual, and in this case it seems they want that individual. So, if you could •• as was stated earlier, if you could bring that back to the Executive's Office, you know, in the interest of getting this grant, we'd be happy to entertain that, that resolution, with the extraneous language removed.

**P.O. CARACAPPA:**

Legislator Foley.

**LEG. FOLEY:**

Yep. Thank you, Mr. Chairman. Vito, is there a time constraint? Does it have to be done today? We have one more December but I know that time is running out, particularly one is in Legislator's O'Leary district, the Bellport gas station and Laundry obviously is in mine in Blue Point, and I know this has been long in the waiting, so to speak. So could you explain to us if there's any time constraints with this.

**MR. MINEI:**

Those two named in the resolution aren't as time critical as the one I indicated before for the Department of State. Once again, it should be specific. That is the grant guidance.

**LEG. FOLEY:**

I understand that. But the question is do we need to pass it today •• we prefer a CN today, but absent a CN, can this approved at the following meeting?

**MR. MINEI:**

It can for the grants pending in the resolution.

**LEG. FOLEY:**

Thank you.

**P.O. CARACAPPA:**

Legislator Vilorio•Fisher, then Lindsay, then Kennedy.

**LEG. VILORIA•FISHER:**

I just wanted to ask a question of Counsel. When there is language that is going to be deleted from the resolution, is that a substantive enough issue that couldn't •• it would have to come over as a CN. Okay. Because it would be good to have this done today, so I encourage Mr. Minei, then, to try to get a CN on this so that we can approve it today.

**MS. KNAPP:**

The only other thing I would comment to Mr. Minei, the Department of State grant that you are talking about, is it the same as an environmental restoration program related document?

**MR. MINEI:**

No, but we know personally the individuals who are in charge of that program and we were hoping for the sake of time that they would understand that the Chief Deputy County Executive hasn't changed, so we were hoping that that would be persuasive in the spirit of time. But technically your correct, Mean, that it doesn't mention that grant, but that is



the only one that's time sensitive is the one due today.

**LEG. ALDEN:**

You might need two CN's.

**MS. KNAPP:**

I wonder whether it would be helpful, you know, for all State programs that require it perhaps you would might want to make the resolution.

**P.O. CARACAPPA:**

Legislator Lindsay.

**LEG. LINDSAY:**

Forgive me, because I'm not on this committee, but this just seems so strange to me that the State would require a specific name rather than a title. I could understand if they wanted a title to sign it, whoever is in that title, but for a specific individual, I mean, none of us are an island here. You know, something could happen to any one of us today and what is government going to stop because we don't have •• it's key to a individual rather than a title, you know.

**MR. MINEI:**

It's actually both. They want the name and the title in this specific example.

**LEG. LINDSAY:**

Oh, they don't want one or the other.

**MR. MINEI:**

No.

**LEG. LINDSAY:**

It's strange.

**LEG. VILORIA•FISHER:**

We spent a lot of time on this in committee.

**P.O. CARACAPPA:**

Okay. There's a motion and a second •• oh, Legislator Kennedy. I'm sorry.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I just •• I was at the committee meeting, Vito, and I thought that I understood what your presentation was then, but I'm even more confused now. You're making reference to DEC and Department of State. Is there a proliferation? Will we hear next week the Department of Health and then Department of Aging? Is this a trend across the state?

**MR. MINEI:**

No. This •• the original resolution was geared to a series of brownfields applications, ERP, Environmental Restoration Program applications. And we had an application in that had Mr. Sabatino's signature on it. They sent it back to us and said you need a resolution from your County Legislature authorizing this individual.

When we •• when we double checked and got the grants guidance package, indeed their example in that package has a specific individual and the title necessary to go in the resolution. We were trying to expand it a little bit. We were subtly changing it to the generic form of other designees in hope that it could apply to other state grants. But, according to the state staff, they want a specific individual.

**LEG. KENNEDY:**

But this is out of two agencies now. You're saying it's now out of DEC and State?

**MR. MINEI:**

This is for this grant program and also for the quality communities. They need a resolution also for the designee. So, yes, we have now two agencies telling us they need a specific person and title sanctioned by resolution.

**LEG. KENNEDY:**

All right. Okay. I still find it difficult to grasp.

**P.O. CARACAPPA:**

Okay. Legislator Montano.

**LEG. MONTANO:**

Good morning. I also am not on that committee and I came in and picked up part of the debate. I just have a question. From what I understand about the issue with respect to the resolution and a specific name, I just want to know, in what context did the request come in? Was it part of a letter? Are there regulations to this? In other words, how do we get to this point from the state? Was it simply a staff letter, verbal request? Can you just answer that?

**MR. MINEI:**

Yeah. It was staff to staff verbally, but then subsequently they sent us the guidance package, which I referred to as an example of a resolution that includes the person's name as well as title. But it originated with a grant application being returned and we being instructed that we needed this resolution to accompany it.

**LEG. MONTANO:**

Just so I'm clear, it's sort of a grant processor from the state talking to our people here ••

**MR. MINEI:**

In the Health Department.

**LEG. MONTANO:**

And then a package was sent with an example of how it was done in some other jurisdiction?

**MR. MINEI:**

No, it's their generic guidance for this specific grant application package, this ERP.

**LEG. MONTANO:**

Is that part of the application process?

**MR. MINEI:**

Yes, yes.

**LEG. MONTANO:**

Is that written within the RFP or whatever it is?

**MR. MINEI:**

Yes, it's part of the grant application process.

**LEG. MONTANO:**

Did the committee see that, because I wasn't at the committee.

**MR. MINEI:**

No, we just received that recently. I mean, what I indicated at the Environment Committee was I was going to ask my staff to double check. They called Friday. We received a fax copy of this grant application package.

**LEG. MONTANO:**

All right.

**P.O. CARACAPPA:**

There's a motion and a second. All in favor? Opposed?

**LEG. MONTANO:**

To what?

**LEG. ALDEN:**

Table.

**P.O. CARACAPPA:**

To table. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

It's tabled. ***2093 (Authorizing planning steps and acquisition under***

***Suffolk County 1/4% Drinking Water Protection program (South Bay Street property) Town of Babylon).*** Motion by Legislator Bishop, second by Legislator Mystal. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2255 (Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund • open space component • McIlwaine property • Mastic/Shirley conservation area Phase I Town of Brookhaven • (SCTM No. 0200 •982.10•05.00•022.000, 023.000 and 024.000).*** Motion by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2256 (Authorizing the acquisition of farmland development rights under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund for Good Shepard Stables property (S.M. Rogers, Inc.)(SCTM No. 0200•578.00•03.00 •001.000 p/o) Town of Brookhaven).***

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley.

**LEG. LOSQUADRO:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2277 (Authorizing planning steps for acquisition under Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks fund (South Setauket Associates property) Town of Brookhaven).*** Motion by Legislator Vilorio•Fisher, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2287 (Authorizing the acquisition of land under the Suffolk County Save Open Space (SOS) Farmland Preservation, and Hamlet Parks Fund • Open Space component • Joseph Sacco as contract vendee (Wildwood Lane Wetlands) Smithtown (SCTM No. 0800•102.00 •04.00•024.000).*** Motion by Legislator Nowick, second by Legislator Kennedy. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2288 (Authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program • Open Space • for the South Country Central School District property a/k/a Central School District No. 4 • Mud Creek, Town of Brookhaven).***

**LEG. FOLEY:**

Motion.

**P.O.CARACAPPA:**

Motion by Legislator O'Leary, seconded by Legislator ••

**LEG. FOLEY:**

Cosponsor.

**P.O. CARACAPPA:**

Didn't I say Foley? Motion by Legislator Foley, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**LEG. FOLEY:**

Cosponsor.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Cosponsor Legislator O'Leary. (Foley)

***2289 (Authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program • Open Space • for the Karine Bird property • Mud Creek, Town of Brookhaven (SCTM No. 0200•982.60 •02.00•002.001).*** Motion by Legislator Foley, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2290 (Authorizing the acquisition of land under the Suffolk County Save Open Space (SOS) Farmland Preservation, and Hamlet Parks Fund • Open Space Component • Castellano property • Mastic/Shirley Conservation Area Phase I, Town of Brookhaven (SCTM No. 0200•982.10•04.00•043.000).*** In the motion by Legislator O'Leary, second by Legislator Foley. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2291 (Authorizing the acquisition of land under the Suffolk County Save Open Space (SOS) Farmland Preservation, and Hamlet Parks Fund • Open Space Component • Wetzel property • Mastic/Shirley Conservation Area Phase I, Town of Brookhaven (SCTM No. 0200 •982.10•06.00•005.000). Same motion, same second.***

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2292 (Authorizing acquisition under the Suffolk County Community Greenways Program • Open Space component for J.A. Green Development Corp. Property • Beaverdam Creek Town of Brookhaven (SCTM No. 0200•901.00•03.00•021.000, 022.000 and 0200•931.00•03.00•002.000, 058.000, 059.000). Same motion, same second.***

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2293 (Authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program • Open Space • Hallock Acres Wetlands, Town of Smithtown (SCTM No. 0800•134.00•04.00•021.000 & 022.000 & 023.000). Motion by Legislator Kennedy, second by Legislator Nowick. All in favor? Opposed? Abstentions?***

**LEG. KENNEDY:**

Henry cosponsor.

**P.O. CARACAPPA:**

Cosponsor, Legislator Kennedy.

**MR. BARTON:**

18.



**P.O. CARACAPPA:**

***2298 (Amendment of Resolution No. 555 • 2005, approving the renewal of Agricultural District No. 1 in the Towns of Southold and Shelter Island, subject to the required subsequent approvals of the State of New York).*** Motion over there, Legislator Losquadro, second by Legislator Caracciolo. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2323 (Authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program • Open Space for the Elton Street Riverhead, LLC property • Saw Mill Creek (Town of Riverhead • SCTM No. 0600 • 109.00 • 02.00 • 002.000).***

**LEG. CARACCIOLO:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Caracciolo, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2324 (Authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program • Open Space for the Frank Locastro and Dorothy P. Locastro property • Mud Creek (Town of Brookhaven • SCTM No. 0200 • 975.70 • 01.00 • 004.000 & 019.000).***

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley, second by Legislator O'Leary. All in favor?

Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2328 (Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks fund • Open Space Component • Engel Burman property • Cold Spring Harbor watershed (Town of Huntington) • (SCTM No. 0400•134.00 •02.00•007.001 P/O).*** Motion by Legislator Tonna, second by Legislator Cooper. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Health and Human Services. ***1985, 1985 A (Amending and appropriating the 2005 Capital Budget and Program funds for the construction of Environmental Health and Arthropod Borne Disease Laboratory (CP 4003).*** Motion by Legislator Tonna.

**LEG. FOLEY:**

I want to hear Legislator Tonna say that word. Legislator Tonna?

**LEG. TONNA:**

Anthropod?

**P.O. CARACAPPA:**

Arthropod opposed to Anthropod.

**LEG. TONNA:**

I'm on the other bill.

**P.O. CARACAPPA:**

Second by Legislator Cooper. All in favor •• on the motion •• Legislator Alden.

**LEG. ALDEN:**

There was just one point that I need clarified that came up and maybe Counsel can do this. At the meeting, I think the question was asked if they are going to be able in •• or this is a study to do the expansion, if they're going to look at the possibility of us doing our own testing on the birds and the mosquitoes. I'm unclear on that answer.

**MR. MINEI:**

I did so well before, let me try again. The way the discussion evolved at committee was that the planning, in fact, there were a number of serious concerns. This planning and design and site selection will look in the context of the master plan for Hauppauge as well as Yaphank with regard to all alternatives of combining labs, separating them, benefits of leasing space behind at the ME's Office. But the response to your question, Legislator, was yes, we're going to ••

**LEG. ALDEN:**

Look at it.

**MR. MINEI:**

•• evaluate doing in-house testing as well.

**P.O. CARACAPPA:**

Roll call. Oh, I'm sorry. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Mr. Minei, would this facility include both West Nile and the encephalitis testing?

**MR. MINEI:**

I believe it's to be evaluated what will be the responsibilities of the laboratory. Part of the reason for the expansion, certainly in the environmental lab, was the increasing demands and new parameters that are being asked, so certainly during the planning and design phase for the arthropod borne disease laboratory they're going to investigate what other techniques, analytical capabilities that laboratory will need. But the answer

once again is yes, that will be evaluated.

**LEG. SCHNEIDERMAN:**

Thank you.

**P.O. CARACAPPA:**

There's a motion and a second. Roll call.

**MR. BARTON:**

On the bond.

*(Roll called by Mr. Barton • Clerk)*

**LEG. TONNA:**

Yeah.

**LEG. COOPER:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCILOLO:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yeah.

**MR. BARTON:**

18 on the bond.

**P.O. CARACAPPA:**

Same motion, same second, same vote, on the companion resolution. **2190**  
**(Declaring December as "Organ Donor Month" in Suffolk County).**

Motion by Legislator Carpenter, second by myself. All in favor? Opposed?  
Abstentions?

**MR. BARTON:**

18.

**LEG. ALDEN:**

We don't want West Nile infected organs, either.

**P.O. CARACAPPA:**

No, we don't. ***2235 • Approving the Vector Control Plan of the Department of Public Works (Division of Vector Control, pursuant to Section C8•4(B)(2) of the Suffolk County Charter).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, I'll second it.

**LEG. SCHNEIDERMAN:**

On the motion.

**P.O. CARACAPPA:**

On the motion, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

This is a proposal that's been •• has underwent lengthy discussion in both the Health Care Committee and also on CEQ, where I sit on CEQ. CEQ did not make a determination because there was a time constraint place upon CEQ, because the routing period had not ended, and CEQ didn't want to not be able to have this acted on before the end of the year. However, I can't say exactly how CEQ would go, but there was quite a bit of testimony.

And my own personal feelings is that the SEQRA declaration contained in this resolution is inappropriate, that this should be pos dec, because there are certain chemicals that are being used that are known to be toxic to marine environments that are being used in marine environments. Not that the program doesn't have merit and may supersede those environmental

concerns, however, under SEQRA, we're supposed to simply make a determination whether a potential •• if there is a potential for substantial adverse environmental impacts. And because these chemicals are being used in certain situations without strict limitations on their use, it is hard for me to come to the conclusion that there's no potential for significant environmental impacts, and, therefore, a positive declaration should be rendered.

**P.O. CARACAPPA:**

Thank you. There's a motion and a second.

**LEG. TONNA:**

Roll call.

**P.O. CARACAPPA:**

All in favor? Opposed? Abstentions?

**LEG. CARACCILO:**

Abstain, Henry.

**LEG. SCHNEIDERMAN:**

Oh, wait, excuse me. Opposed.

**P.O. CARACAPPA:**

Abstention, Legislator Caracciolo, and an opposition, Legislator Schneiderman.

**MR. BARTON:**

16.

**P.O. CARACAPPA:**

It's approved. I thank Public Works for coming out.

**MS. MITCHEL:**

Thank you.

**LEG. TONNA:**

There you go. Itching for a fight and there wasn't one.

**P.O. CARACAPPA:**

***2275 (Declaring the first week in April a "Nephrotic Syndrome and FSGS Awareness Week").*** Motion by Legislator Cooper, second by Legislator Tonna. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2304 (To protect Suffolk County children by instituting an educational program on the dangers of food allergies).***

**LEG. ALDEN:**

Motion to approve.

**LEG. TONNA:**

Put me as a cosponsor.

**P.O. CARACAPPA:**

Motion to approve by Legislator Alden, second by myself. All in favor? Opposed? Abstentions?

**LEG. VILORIA•FISHER:**

I just have a question about this.

**P.O. CARACAPPA:**

Go ahead.

**LEG. VILORIA•FISHER:**

Ledge •• to the ••

**P.O. CARACAPPA:**

Go right ahead.

**LEG. VILORIA•FISHER:**



To the sponsor. It's always been my understanding that these educational program already exist. Is there a reason why you would have •• I think this is a good idea if there is a lack of education in these areas, but it's always been my experience as a teacher that there was a great deal of allergy education in the school districts. Is there a reason that would have precipitated this?

**LEG. ALDEN:**

Actually •• and it goes back to the person dying in New Jersey. Before that ••

**LEG. VILORIA•FISHER:**

The girl that was kissed by the boyfriend who had eaten a peanut?

**LEG. ALDEN:**

Right. Before that this was brought to my attention by Maria, Maria Barbara, my secretary, who's son is very, very allergic to peanuts. She actually had to fight the school district to get a segregated area and limit the people that could actually sit with him. They have to segregate it before and after he uses the cafeteria area, because if somebody were to go in there before he were to eat and use peanuts and leave any, you know, remnants of it around it even afterwards it would be there the next day and he could actually die from it.

So, some school districts do react favorably, some don't. And then we started looking at models and she found Nassau County, they actually did this program. Dr. Harper was in Nassau County when they did it. He said he's familiar with it and he looks forward to working with Nassau County to develop the criteria to send out to the school districts so that number one, they can prevent the problems, and number two, a plan when something does happen to react very quickly, you know, to a problem to try to save a child's life.

**LEG. VILORIA•FISHER:**

Okay. I'm glad to hear that your addressing that because when I was an educator, as a teacher I had to attend training sessions, teachers and administrators, all of us had to attend them and I was under the assumption

all school districts did that. So I'm glad you're addressing it if they're not. Thank you.

**LEG. ALDEN:**

Some of them don't, but this would get the Health Department involved with the schools and a good dialogue.

**LEG. VILORIA•FISHER:**

Second.

**P.O. CARACAPPA:**

The motion and second. I think the votes been called, right?

**MR. BARTON:**

No, not yet.

**P.O. CARACAPPA:**

Just call the vote.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Thank you. Parks and Cultural Affairs ***1966 (Authorize a license agreement with Montauk Observatory, Inc., and to construct and use an Astronomical Observatory).***

**LEG. SCHNEIDERMAN:**

Motion.

**LEG. VILORIA•FISHER:**

Second.

**P.O. CARACAPPA:**

An explanation has been asked for. If you wouldn't mind, Mr. Schneiderman.

**LEG. LOSQUADRO:**

It's a telescope.

**LEG. SCHNEIDERMAN:**

Sure. You had seen this once before as a funding proposal. This is not a request for any funding. There is a not•for•profit that has been set up to construct an observatory out in Montauk and they are simply looking for a license agreement with the County. A site has been specked out by the Park Commissioner and by Richard Martin, who's the history preservation person at Parks, and it's been through Parks Trustees. It came out of Park Trustees unanimously. It's been through CEQ, it got a negative declaration on the CEQ.

And, again, it's again not asking for any money, just the use of a building and an area to construct •• use of a dilapidated building and then an area to construct a small observatory, roughly 18 to 20 foot in diameter.

**P.O. CARACAPPA:**

Legislator Carpenter.

**D.P.O. CARPENTER:**

I have a question. I'm sorry I wasn't at the committee this week, but are they being required, this group, to maintain that two million dollar insurance policy that most of the other groups are being asked to maintain?

**LEG. SCHNEIDERMAN:**

The details of the license agreement haven't been worked out, but they would be consistent with any others.

**D.P.O. CARPENTER:**

Is there someone here from Parks who can answer that question?

**P.O. CARACAPPA:**

Come on up.

**MR. \\_ORANCHECK\\_:**

Tom \\_Orancheck\\_ from Parks. Legislator Carpenter, I don't have an

answer for that, but if you want to pass over this I can call and get an answer for you.

**D.P.O. CARPENTER:**

Great. Thank you.

**P.O. CARACAPPA:**

Just what we'll do. ***2193 (Authorizing an agreement for use of Peconic Dunes County Park by Cornell Cooperative Extension of Suffolk County).***

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley.

**D.P.O. CARPENTER:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2207 (Modifying new investment policy for Suffolk County Vanderbilt Museum Trust Fund).*** Motion by Legislator Cooper, second by Legislator Binder. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

2260 has been done. ***2217, 2217A (Appropriating funds in connection with renovations of Southaven County Park Stables (CP 7032)).***

Motion by O'Leary, second by Legislator Foley. Roll call.

***(Roll called by Mr. Barton • Clerk)***

**LEG. O'LEARY:**

Yes for horses.

**LEG. FOLEY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

I'm sorry. Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCILO:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Same motion, same second, same vote, on the companion resolution. 2228 has been done. ***2229 (Authorizing use of County historic buildings in the Yaphank Historic District by Yaphank Historical Society)***. Motion by Legislator O'Leary, second by Legislator Foley. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

***2231 (Authorizing use of Meadow Croft, the John E. Roosevelt Estate by Bayport Heritage Association)***.

**P.O. CARACAPPA:**

Motion by Legislator Foley, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2336 (Creating a petty cash fund for the Suffolk County Department of Parks, Recreation and Conservation).*** Motion?

**LEG. ALDEN:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Alden, second by Legislator Bishop. All in favor?  
Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2274 (To appoint Nancy J. Duncan as a member of the Suffolk County Citizens Advisory Board for the Arts).*** Motion by Legislator Foley.

**LEG. O'LEARY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2278 (Reappoint member to the Suffolk County Board of Trustees of Parks, Recreation, and Conservation (Miles B. Borden)).*** Motion by

Legislator Nowick, second by Legislator Kennedy. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2279 (Appointing Ronald Parr as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 14).*** Motion by Legislator Nowick, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**LEG. TONNA:**

Abstain.

**P.O. CARACAPPA:**

One abstention, Legislator Tonna.

**MR. BARTON:**

17, one abstention.

**P.O. CARACAPPA:**

***2280 (Reappointing William B. Rogers as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 4).*** Motion by Legislator Vilorio•Fisher, second by Legislator Cooper. All in favor? Opposed? Abstentions?

**MR. BARTON:**

Mr. Chairman, on 2279 it's now 16•2 abstentions.

**P.O. CARACAPPA:**

Thank you.

***2300, 2300A (Amending the 2005 Capital Budget and Program and appropriating funds in connection with the restoration of historic structures at Blydenburgh County Park (CP 7507).***



**MR. BARTON:**

2280 is 18.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy, second by Legislator Nowick. Roll call.

**MR. BARTON:**

On the bond.

***(Roll called by Mr. Barton • Clerk)***

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCILOLO:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yeah.

**MR. BARTON:**

18 on the bond.

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution. Public Safety and Public Information. ***2232 (Accepting and appropriating a grant in the amount of \$295,993 from the United States Department of Justice, Bureau of Justice Assistance, to fund a Computer Crimes***

***Initiative Project for the Suffolk County Police Department with 90.42% support).*** Motion by Legislator Carpenter, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2252 (Accepting and appropriating \$58,436 in sub•granted funds from the Economic Opportunity Council of Suffolk, Inc., for the Wyandanch Weed and Seed Program sponsored by the U.S. Department of Justice with 88% support).*** Same motion, same second.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2294 (Making a determination of non•significance pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) in connection with the proposed Suffolk County Correctional Facility expansion, Yaphank, Town of Brookhaven).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**LEG. SCHNEIDERMAN:**

Mr. Presiding Officer, we have an answer now on 1966. If we could go back to that.

**LEG. BISHOP:**

Oh, on that •• 2294?

**P.O. CARACAPPA:**

Legislator Bishop.

**LEG. VILORIA • FISHER:**

Rise and shine.

**LEG. BISHOP:**

Thank you. It's going so fast it was mesmerizing, this meeting.

**P.O. CARACAPPA:**

Mr. Clerk, you did get the opposition of Legislator Bishop on 2294?

**MR. BISHOP:**

On 2294 please record me as a no.

**MR. BARTON:**

17.

**LEG. BISHOP:**

And I won't make a speech.

**LEG. O'LEARY:**

Thank you.

**P.O. CARACAPPA:**

You will or won't.

**LEG. BISHOP:**

I won't.

**P.O. CARACAPPA:**

Your vote says it all. Thank you Public Works, Transportation. **2075**  
**(Calling for a public hearing upon a proposal to form Suffolk County**  
**Sewer District No. 24 • Gabreski Airport).** Motion by Legislator

Schneiderman, second by Legislator Caracciolo.

**MR. BARTON:**

18.

**LEG. VILORIA • FISHER:**

Oh, wait a minute. 2275 is going to require a CN.

**P.O. CARACAPPA:**

2075 is a CN?

**LEG. VILORIA • FISHER:**

2075.

**LEG. TONNA:**

2075.

**LEG. SCHNEIDERMAN:**

We're on 2075.

**MS. KNAPP:**

2075.

**P.O. CARACAPPA:**

Yes.

**MS. KNAPP:**

2075 was tabled and apparently the expectation was that it would have been passed at the last meeting, so the date is incorrect. I have seen a CN that has a date of December 20th in it and we should wait and pass that one instead.

**P.O. CARACAPPA:**

So it's a CN is what you're saying.

**LEG. VILORIA • FISHER:**

Yeah.

**P.O. CARACAPPA:**

Just •• I withdraw the motion and second, whoever they were from.

**LEG. LINDSAY:**

We tabled it or we passed over it?

**P.O. CARACAPPA:**

We're passing over it because of a CN and this will be moot. **2104**  
***(Approving a voluntary land reconfiguration between the County of Suffolk and R.D. Southampton Associates, L.P.).***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Schneiderman.

**LEG. VILORIA•FISHER:**

Explanation.

**P.O. CARACAPPA:**

Second by Legislator O'Leary. Explanation.

**MS. KNAPP:**

This is •• I'm going to call it a swap of land that's proposed by the Department of Public Works. It will allow them to construct a sump, I believe it is, in one corner of a proposed development and still keep land free along a roadway. It is with a private developer.

**P.O. CARACAPPA:**

Everyone all right with that?

**LEG. FOLEY:**

Move the question.

**P.O. CARACAPPA:**

On the motion? There's a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2127 (Local Law to modify exemption on purchase of Sports Utility Vehicles (SUV) by Suffolk County).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion •• where's that motion?

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by Legislator Binder.

**LEG. ALDEN:**

Quick question.

**P.O. CARACAPPA:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

The Chairman of Public Works, oh, that's Binder, right?

**LEG. FOLEY:**

It's Binder, to your left. I know it's hard to look that way.

**LEG. ALDEN:**

This exemption is for what? No, Allan, I was just •• the exemption is for what?

**LEG. BINDER:**

Where are we?

**LEG. ALDEN:**

2127. Our law prohibits the purchase of these four•wheel•drive vehicles, right, so ••

**P.O. CARACAPPA:**

If you remember the testimony that •• I'm sorry. Do you remember the testimony that Commissioners Williams and Foley came before us at the last general meeting to explain as it relates to FRES and Parks.

**LEG. ALDEN:**

These two •• okay, good.

**LEG. BINDER:**

That's all it is.

**LEG. ALDEN:**

Okay.

**P.O. CARACAPPA:**

I'm sorry, Legislator Binder. I just wanted to help you out.

**LEG. ALDEN:**

Thanks Allan.

**P.O. CARACAPPA:**

Thank you. Okay. There's a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2114A (Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$2,585,000 bonds to finance a part of***



***the cost of reconstruction of a bridge on CR 83, North Ocean Avenue (CP 5849).***

**MR. BARTON:**

Mr. Chairman, this one is only a bond as the Legislature approved the companion at the November 22 general meeting.

**P.O. CARACAPPA:**

And we didn't do the bond?

**MR. BARTON:**

The bond wasn't listed on the agenda so we need to do a roll call.

**P.O. CARACAPPA:**

So, do you know who made the motion on that? Does it matter? I think it was actually Legislator Foley and myself.

**FOLEY:** Yes.

**P.O. CARACAPPA:**

Roll call on the bond.

***(Roll Called by Mr. Barton • Clerk)***

**LEG. FOLEY:**

Yes.

**P.O. CARACAPPA:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCILO:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**MR. BARTON:**

18 on the bond.

**P.O. CARACAPPA:**

Thank you. ***2218, 2218A (Amending the 2005 Capital Budget and Program and appropriating funds in connection with the County share for participation in the reconstruction/widening of CR 3, Wellwood Avenue Bridge over the Southern State Parkway, Town of Babylon (CP 5851).*** Motion by Legislator Montano, second by Legislator Binder.

**LEG. FOLEY:**

Just on the motion.

**P.O. CARACAPPA:**

On the motion, Legislator Foley.

**LEG. FOLEY:**

Thank you, Mr. Chairman. This came up in committee and I had asked several questions of the Commissioner. As you know, this is one of the historic bridges on Southern Park •• Southern State Parkway, and one would think that it is a state bridge but in fact the cost is being shared by state and the County, and there's an additional appropriation to make sure that once bridge is widened and improved that the same stone face, if you will, they have on it now will continue •• will be there after the project is finished. So it will be, let's say, a faithful reconstruction of the bridge so that the way that it's looked for all these decades will continue in future decades once the bridge is completed. So, I thought that was rather good news.

**P.O. CARACAPPA:**

It's a mix of progress and preservation.

**LEG. FOLEY:**

Progress and preservation. Very good.

**P.O. CARACAPPA:**

Very good. Motion and second. Roll call.

**LEG. BISHOP:**

And the people of Babylon thank you.

**MR. BARTON:**

On the bond.

*(Roll called by Mr. Barton • Clerk)*

**LEG. MONTANO:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCILO:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

18 on the bond.

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution. **2219, 2219A (Amending the 2005 Capital Budget and Program and appropriating funds in connection with the reconstruction of the Shinnecock Canal Locks, Town of Southampton (CP 5343)).**

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Schneiderman, second by Legislator Caracciolo. Roll call.

**MR. BARTON:**

On the bond.

***(Roll called by Mr. Barton • Clerk)***

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCIOLO:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

18 on the bond.

**P.O. CARACAPPA:**

2220 •• oh, same motion, same second, same vote on the companion resolution. ***2220 (Approving maps and authorizing the acquisition of lands together with findings and determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of the properties for the construction of right turn lanes on C.R. 3, Wellwood Avenue, Town of Babylon, Suffolk County, New York (CP 5510).*** Motion by Legislator Bishop, second by Legislator Mystal. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2221 (Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2005 Operating Budget, amending the 2005 Capital Budget and Program, and appropriating funds for Suffolk County Sewer District No. 3 • Southwest sludge treatment and disposal (CP 8180).*** Motion by Legislator Foley, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2233 (Authorizing the filing of an application with the Federal Transit Administration an operating administration of the United States Department of Transportation for Federal Transportation Capital Assistance for the purchase of hybrid • electric transit buses authorized by 49 U.S.C. Chapter 53 Title 23 United States Code and other Federal Statutes administered by the Federal Transit Administration).***

**LEG. O'LEARY:**

Motion.

**LEG. VILORIA • FISHER:**



Second.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2253 (Approving maps and authorizing the acquisition of lands together with findings and determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of the properties for intersection improvements to C.R. 67, Motor Parkway at Adams Avenue, Town of Smithtown, Suffolk County, New York (CP 3301.225).***

**LEG. KENNEDY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy, second by Legislator Nowick. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2301, 2301A (Amending the 2005 Capital Budget and Program and appropriating \$283,500 in funds for a replacement fence on CR 67, Motor Parkway from Thomas Street to Washington Avenue (CP 5546).*** Motion by Legislator Montano, second by Legislator Mystal. Roll call.

**MR. BARTON:**

On the bond.

***(Roll called by Mr. Barton • Clerk)***

**LEG. MONTANO:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. BINDER:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCILOLO:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

Legislator Binder.

**LEG. BINDER:**

Yes.

**MR. BARTON:**

Thank you.

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

**MR. BARTON:**

18 on the bond.

**P.O. CARACAPPA:**

***2066 (Designating individual agents as official volunteers for Suffolk***

***County Society for the Prevention of Cruelty to Animals).***

**LEG. COOPER:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Cooper, second by Legislator O'Leary. All in favor?  
Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2092 (Extending financial support to County workers whose volunteer efforts are necessary to aid in disaster relief).*** Motion by Legislator Montano.

**LEG. MONTANO:**

2092?

**P.O. CARACAPPA:**

Yeah.

**LEG. MONTANO:**

Motion.

**P.O. CARACAPPA:**

Yeah, I said that.

**LEG. MONTANO:**

I'm sorry.

**P.O. CARACAPPA:**

Second by myself.

**LEG. CARACCILOLO:**

Explanation.

**LEG. VILORIA • FISHER:**

Explanation.

**P.O. CARACAPPA:**

Could you explain, please.

**LEG. MONTANO:**

Sure. You want me to?

**P.O. CARACAPPA:**

Whoever.

**LEG. MONTANO:**

This bill provides that in situations as we experienced in New Orleans during hurricane Katrina where we have County employees who are not directed to go to a disaster site, but who are willing to volunteer and have specialized expertise that is needed in the kind of effort that, you know, that they'd like to volunteer for. Not someone that simply just wants to go to assist a disaster effort, but someone that is certified or at least not certified but put on a list through the Commissioner of Police, Fire, Rescue and Health, someone with specialized expertise would have the ability at the discretion of the County Executive, to lend aid in a disaster area for a period of 30 days and not lose their benefits in the County and receive their pay for a 30 day clip.

So it really •• and it resulted as a result of efforts, you know, requests for volunteers that came in to my office, I'm sure your office, and the Presiding Officer's office, people that have specialized expertise, not just to send volunteers. It's at the total discretion of the County Executive so that we don't deplete the work force. Any questions?

**P.O. CARACAPPA:**

I'll give an example if you ••

**LEG. MONTANO:**

Go ahead.

**P.O. CARACAPPA:**

Legislator Montano, I appreciate you sponsoring this. I'm a cosponsor. One of my constituents is a specialized under water diving •• in a rescue group. That's as specialized as it gets and he was down doing work in the Gulf after both disasters. So that's a clear example, and he's a Corrections Officer, so •• and works in the jail, so there's a, I guess •• the point you're trying to make, that it's a specialized talent in a specialized area, not just anyone who says well I'm going to go and, you know, maybe spend an extra week or two down in the affected area and get paid for it. Legislator O'Leary.

**LEG. O'LEARY:**

Yes. A question to the sponsor. The individuals that you're referring to would still be volunteering, were they not?

**LEG. MONTANO:**

Yes, they would be. Yes, they would be volunteers. They would be volunteers, as opposed to someone in the police department or in a fire department works for the County that would be deployed to an area, because the County Executive has the power to deploy someone, but this is a volunteer. This is a different situation where someone may not necessarily work for a specialized agency, but have those specialized skills that the Presiding Officer was talking about.

**LEG. O'LEARY:**

But ultimately the decision is not the volunteer's, it's the agency that would send him there. So he would be directed by the agency but he's volunteering his services.

**LEG. NOWICK:**

No.

**LEG. MONTANO:**

No. He would be a volunteer. He would request •• he would request an opportunity to volunteer, and if he had the specialized skills as determined by the three Commissioners, the County Executive would have the authority to allow that individual to volunteer, thereby, you know, giving him the time

needed for 30 days at a time to go and provide needed services. He's a volunteer, though. He's not working at the direction of the County.

**LEG. O'LEARY:**

All right. If he's volunteering, though, he's going to continue with his benefits and his salary. He's not taking a leave of absence.

**LEG. MONTANO:**

No, he's not.

**LEG. O'LEARY:**

He'll stay on payroll, he continue to receive his benefits. If he's injured down there while performing his voluntary service he's covered under ••

**LEG. MONTANO:**

He would be covered.

**P.O. CARACAPPA:**

For 30 days.

**LEG. MONTANO:**

For 30 days at a time.

**P.O. CARACAPPA:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. That dialogue basically summed it up. We had this discussion in committee and, in essence, this allows an additional mechanism by which these department heads can identify those individuals with these specialized skills instead of just deploying those individuals with known skills. So by being able to identify those within our employment who have skills that are needed we were able to allow these individuals to go and provide a needed service. Thank you.

**P.O. CARACAPPA:**

And it's also important to add that in Suffolk County we're blessed with many people within our ranks in County employment that do have specialized talents based on the fact they come from highly trained volunteer organizations, whether it be the local fire departments, ambulance services, Police Department, EMS, FRES, they are •• we are, we're very lucky to have these people who are willing to be so benevolent with their time to go and help out in national situations when there's a crisis.

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. And I agree with you. As a matter of fact, we really are very fortunate that we have so many employees with so many different specialties that they may have acquired over time. And we did discuss this at length in committee and I did vote in support of this resolution to come out of committee with the understanding between representatives of the administration and with sponsor that, in fact, there would be no compromise concerning some of the benefits that employees would carry such as workers comp coverage, such as any kind of rights under the retirement system, or any other package of benefits that municipal employees enjoy when they're working within the context of their duties as an employee for the County of Suffolk. So with that understanding that that is not a gray area, it will be reduced to a writing clearly binding the administration to keep these individuals whole as they travel out, I'm in support of it.

**LEG. O'LEARY:**

Mr. Chair.

**P.O. CARACAPPA:**

Legislator O'Leary.

**LEG. O'LEARY:**

Question of either the sponsor or Counsel. Does the employer retain the right to refuse the volunteer to respond?

**LEG. MONTANO:**

Absolutely.



**P.O. CARACAPPA:**

There's a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2153 (Authorizing transfer of twelve (12) surplus County computers to the Wyandanch Senior Nutrition Center).*** Motion by Legislator Mystal, second by Legislator Montano. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2191 (Local Law to streamline County government by repealing certain boards and commissions).*** Motion by myself.

**LEG. LOSQUADRO:**

Second.

**LEG. LOSQUADRO:**

Second by Legislator Losquadro.

**LEG. VILORIA • FISHER:**

Which? I'm sorry, I missed it.

**P.O. CARACAPPA:**

It's superfluous.

**LEG. VILORIA • FISHER:**

Okay.

**LEG. SCHNEIDERMAN:**

It's the computer bug Task Force.

**LEG. VILORIA•FISHER:**

All right.

**P.O. CARACAPPA:**

They are •• you'd be surprised •• ones that haven't met in years.

**LEG. VILORIA•FISHER:**

I see, I see. Thank you.

**P.O. CARACAPPA:**

Okay?

**LEG. LINDSAY:**

We're going to miss them.

**P.O. CARACAPPA:**

Yeah, we sure we.

**D.P.O. CARPENTER:**

And they'll be reintroduced.

**P.O. CARACAPPA:**

All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

We do this every couple of years. ***2263 (Authorizing a lease of County property to continue providing transitional housing for the homeless).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by Legislator Foley and Montano. All in

favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***2295 (Authorizing the placement of certain properties owned by the County of Suffolk in public use pursuant to Section 406, New York State Real Property Law).*** Motion by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Moving right along. ***Sense 53 (Sense of the Legislature resolution requesting Suffolk County towns to safeguard property rights when exercising power of eminent domain).*** Motion to table by Legislator Binder?

**LEG. BINDER:**

(Shook head yes).

**P.O. CARACAPPA:**

Second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18. Tabled.

**P.O. CARACAPPA:**

***Sense 66 (Sense of the Legislature resolution requesting the New York State Legislature suspend collection of sales tax on gasoline).*** Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Yeah. I'll make a motion.

**P.O. CARACAPPA:**

Motion to?

**LEG. SCHNEIDERMAN:**

Motion to approve.

**P.O. CARACAPPA:**

Motion to approve by Legislator Schneiderman.

**LEG. ALDEN:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***Sense 75 (Sense of the Legislature resolution requesting the State of New York to amend the Navigation Law to promote boating safety through increased law enforcement).*** Motion by Legislator Carpenter.

**LEG. O'LEARY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***Sense 76 (Sense of the Legislature in support of local control of shoreline driving permits).*** Motion by Legislator Carpenter.

**LEG. LOSQUADRO:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

Cosponsor, please.

**MR. BARTON:**

18.

**LEG. SCHNEIDERMAN:**

Henry, cosponsor.

**P.O. CARACAPPA:**

***Sense 77 (Sense of the Legislature resolution requesting legislation to protect consumers from unwarranted cellular phone charges).***

Motion by Legislator Alden, second by myself. All in favor? Opposed? Abstentions?

**LEG. LOSQUARDRO:**

Henry, cosponsor on Sense 77.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***Sense 79 (Memorializing resolution in support of New York State legislation expanding the "Bottle Bill").*** Motion by Legislator Losquadro, second by Legislator Foley. All in favor? Opposed? Abstentions?

(Cosponsor said in unison by Legislators)

**P.O. CARACAPPA:**

***Sense 80 (Memorializing resolution in support of a real property tax exemption for active duty military personnel in a combat zone).***

Motion by Legislator Kennedy, second by Legislator Nowick. All in favor?

Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

Cosponsor on this one as well.

**LEG. CARACCILO:**

Cosponsor.

**LEG. O'LEARY:**

Cosponsor.

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

***Sense 81 (Memorializing resolution in support of the Breast Cancer Patient Protection Act of 2005 (S.910) and H.R. 1849).*** Motion by

Legislator Vilorio•Fisher, second by Legislator Alden, of course.

All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Henry, cosponsor.

**MR. BARTON:**

Which one, Mr. Alden?

**LEG. ALDEN:**

81.

**P.O. CARACAPPA:**

***Sense 82 (Sense of the Legislature resolution in support of net metering for Suffolk County businesses).***

**LEG. MONTANO:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Montano.

**MR. BARTON:**

18 on 81.

**P.O. CARACAPPA:**

Is there a second? Second by Legislator Schneiderman. All in favor?  
Opposed? Abstentions?

***Sense 83 (Sense of the Legislature resolution in opposition to a New York City commuter tax).***

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Motion by Legislator Losquadro, second by myself. All in favor? Opposed?  
Abstentions? You can list everyone as a cosponsor on that one. You are  
going to miss me.

**MR. BARTON:**

83, 18.

**LEG. KENNEDY:**

Mr. Chairman, I'm going to ask ••

**P.O. CARACAPPA:**

CN's.

**LEG. SCHNEIDERMAN:**

Can we go back to 1966 while Parks is still here if that's possible?

**P.O. CARACAPPA:**

Oh, right. Sorry. What page was that? That's on Parks? 12:05 is my  
record.

**LEG. SCHNEIDERMAN:**

Page 14.

**P.O. CARACAPPA:**

Page 14. Do you have an answer for us?

**MR. \\_ORANCHECK\\_:**

Yes, I do. Thank you, Legislator Caracappa. This is in response to Legislator Carpenter's question about the 2 million dollars. I spoke with Parks Commissioner Foley and he echoed what Legislator Schneiderman said, that they will be required and have the two million dollars insurance.

**P.O. CARACAPPA:**

Okay.

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. CARACAPPA:**

There's a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

Mr. Chairman, I don't have them •• the motion and second.

**P.O. CARACAPPA:**

Motion by Legislator Schneiderman, second by Legislator Vloria•Fisher. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**LEG. KENNEDY:**

Mr. Chair, I'm going to ask if we can go back to 2134 as well.

**P.O. CARACAPPA:**

Yeah. Motion •• this is tabled resolutions, it's the bottom of the page. Page ten.



**LEG. KENNEDY:**

Page ten, yes. I make a motion to approve.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy to approve, second by myself. This is a moratorium on fee increases for title examiners.

**LEG. TONNA:**

Roll call.

**P.O. CARACAPPA:**

There's a roll call requested.

**LEG. SCHNEIDERMAN:**

I'll second it. Is there a motion to second?

**MR. BARTON:**

2134.

*(Roll called by Mr. Barton • Clerk)*

**LEG. KENNEDY:**

Yes.

**LEG. BISHOP:**

May I ask questions about this?

**P.O. CARACAPPA:**

Sure. On the motion, Legislator Bishop.

**LEG. BISHOP:**

We got time.

**LEG. TONNA:**

No, we don't have time. Come on, Dave, let's go.

**LEG. BISHOP:**

I want to understand the resolution. What is the policy that you're seeking to suspend?

**P.O. CARACAPPA:**

Just the increase. Legislator Kennedy.

**MR. KENNEDY:**

Through the Chair. Thank you, Mr. Chair. This resolution would put a 180 day cooling off period into the lease increase, a license increase being sought by the administration. As we heard speakers who have presented, the administration is seeing a 300 percent plus increase in the license fee for title abstractors and this bill would just hold off the license increase and allow for additional time to engage in dialogue.

**LEG. BISHOP:**

Is that the license to conduct business or that's a license to rent a space.

**LEG. KENNEDY:**

That is the license to actually occupy the cubicle space down the hall here.

**LEG. BISHOP:**

Okay. And what is the rate now and how is it set?

**LEG. KENNEDY:**

The rate now, I believe, is approximately 2100 a year. It was set by resolution adopted by this body back in 1997.

**LEG. BISHOP:**

And that's whether you're the largest player in the field or the smallest, you pay a flat fee of 2100 ••

**LEG. KENNEDY:**

My understanding ••

**LEG. BISHOP:**

•• for a cubicle.

**LEG. KENNEDY:**

As a matter of fact, I was involved in negotiating with that, yes. As a matter of fact, it's set based on square footage of space occupied by each entity.

**LEG. BISHOP:**

Oh, it is set by square footage.

**LEG. KENNEDY:**

Correct.

**LEG. BISHOP:**

So the 2100 is an average.

**LEG. KENNEDY:**

It's a fixed price that the administration came up with at that time that represents real estate and services as well, utilities and things such as that.

**LEG. BISHOP:**

So is it by square foot or is it flat? I don't ••

**LEG. TONNA:**

Come on, Dave.

**LEG. BISHOP:**

I don't understand. Do you understand it? Where are you going, by the way?

**P.O. CARACAPPA:**

Previously it was square footage. Now there's a flat •• now they're proposing a flat ••

**LEG. KENNEDY:**

Well, in essence, yes, what's happening is the administration's proposed to go ahead and triple plus the fee that they're seeking to go ahead and recover based on square footage occupied as well as include quite a bit of additional softs, if you will, support services and things such as that. So

that it appears to be some reasonable area of discourse between the licensees and the administration, and so in essence, the only thing that the bill would do is allow for some continued discussion or dialogue so that the administration can clarify and try to come to some kind of consensus with the licensees.

**LEG. BISHOP:**

All right. May I ask Legislator Kennedy, who is, you know, a high position in the Clerk's Office, what to you, to your mind is a fair solution? How do you charge the people for that space?

**LEG. LOSQUADRO:**

Objection, calling for speculation.

**LEG. BISHOP:**

I'd love to know what the answer is.

**LEG. KENNEDY:**

Hearsay. Complete hearsay.

**LEG. BISHOP:**

To me it would be a daily fee would be the best way to do it.

**LEG. KENNEDY:**

Again, that may be ultimately what comes to pass, but I believe what we're looking at is if any entity that does business with the County of Suffolk was subject to a 300 percent increase, like Lessings, like marina operators, like any other •• like the trap and skeet outfit that just showed up here or anybody else, there would be a major outcry of inequity. So in a similar fashion, this is merely just to go ahead and allow the parties to negotiate.

**LEG. BISHOP:**

You don't have an answer •• you haven't answered my •• but the thing is that I think the Executive's point is that they were grossly under charged in the past.

**LEG. KENNEDY:**

That may be the case, nobody's shared that with me, nor do I choose to interject myself in the midst of the negotiations. So at the end of the day ••

**LEG. BISHOP:**

Well, you are, you are calling for a freeze. Okay.

**LEG. KENNEDY:**

Just a cooling off period, that's all.

**LEG. BISHOP:**

It's too heated?

**LEG. TONNA:**

All right. Let's vote. Come on.

**LEG. BISHOP:**

Where are you going?

**LEG. TONNA:**

You understand it now.

**P.O. CARACAPPA:**

Legislator Lindsay.

**LEG. LINDSAY:**

Sit down. Just relax. Yeah. I'd like to address some comments to Budget Review. Has Budget Review done an analysis of what the square footage is worth in this building? I mean, we're going to spend 30 million dollars renovating this building.

**LEG. ALDEN:**

Maybe.

**LEG. LINDSAY:**

Maybe. But there must be a market, you know, value in this area of what square footage is worth. Have you done that type of analysis?

**MR. LIPP:**

I'm not aware that we have those numbers readily available now, but we could get them to you.

**LEG. LINDSAY:**

Why don't you get them for me because you have already given them to me. I don't have them at my fingertips.

**MR. LIPP:**

We do have them, but I don't have them available with me right now. I could get them for you, but I don't have them right now.

**LEG. LINDSAY:**

Well, I think it's very pertinent to the whole discussion.

**MR. LIPP:**

Hold on one second.

**LEG. LINDSAY:**

And the other thing, Mr. Chair, if I may, what would •• you know, if I could ask Deputy County Executive Sabatino a question, what would the affect of delaying this six months have on our budget as we go into '06?

**P.O. CARACAPPA:**

Paul, if you could just keep it condensed we'd appreciate it.

**MR. SABATINO:**

The impact will be first on revenues. The adopted budget budgeted \$500,000 of revenues, which was a conservative figure based on the changes that we have proposed in the previous program.

If I could just quickly elaborate on what this is all about. Previous •• previous administration with Fred Towle and Ed Romaine going back to 1997 had an arrangement whereby free computers, free printing, and \$4 a square foot for the use of the facility. This administration, after 18 months of working closely with the representatives from the title industry who are dealing with a 40 billion dollar last year industry, and we're talking \$500,000

to maybe one million dollars worth of revenue, have proposed the following.

The computers are not going to be for free. The County paid taxpayer dollar computers are not going to be for free. Printing is not going to be for free, and the square foot value, even though the County when we are the tenant in the Riverhead community is paying 18, 17 and 19 dollars per square foot, will be charging \$14 a square foot. That \$14 a square foot is below what we as a tenant are paying to landlords in the Riverhead area. It's also a number that the Budget Review Office and our Budget Office has agreed upon. Now think about that. The Legislature and the Executive Branch can rarely agree that it's a snowy day today and the sun is shining, but they agree that \$14 is the fair and reasonable value.

We oppose this legislation because somebody has to finally say no, there is finality. We are not going to give away free computers, free printing and \$4 a square foot for property that is valued at 17 to 19 dollars and we're offering at \$14.

**LEG. LINDSAY:**

Just one follow-up question before you leave. There's an issue about the common space here. Are you know, are we charging these people like for the cafeteria and other common space?

**MR. SABATINO:**

Common areas are part of the joint calculation that was made by the Budget Office and the Budget Review Office.

**LEG. LINDSAY:**

Okay, but are they paying in total for the cafeteria? Are we shifting the square foot area of the cafeteria to their allotted bills?

**MR. KOVESDAY:**

No, they're only paying for common space on the time that the building is not open to anybody else. They're paying for common space from seven to nine in the morning and from five to seven at night. It was prorated. The rest of the day they're not paying for common space.

**LEG. LINDSAY:**

And that would include the cafeteria?

**MR. KOVESDAY:**

It might, but it doesn't include the legislative areas. It includes no areas that are directly assigned to any particular person.

**LEG. LINDSAY:**

So any areas that are open, those hours before operations and after.

**MR. KOVESDAY:**

That's correct. Any other time they're not being charged.

**LEG. KENNEDY:**

Mr. Chair.

**P.O. CARACAPPA:**

Legislator Lindsay are you finished?

**LEG. LINDSAY:**

(Nodded head yes).

**P.O. CARACAPPA:**

Legislator Kennedy.

**LEG. KENNEDY:**

If I could just go ahead and add to a little bit of the discourse from the Chief Deputy County Executive. Having been here in '97 when, as a matter of fact, there was negotiation on the previous resolution.

There was at that time then director, I guess, of Budget Review, Fred Pollert, did do the analysis in the area and I recall it vividly because I was involved at that time in trying to work out what at that point was a significant increase from what previously had been essentially totally unregulated.

Again, my reason for bringing this resolution forward was some of what



Legislator Lindsay has, as a matter of fact, asked about and queried with, and I personally feel that any industry or any private entity should certainly go ahead and pay fair price for whatever use they get of municipal property. Again, as I said before to Legislator Bishop, whether or not it's a catering facility or a marina or any other entity that we engage and contract with with the private business world, certainly there should be fair price paid there.

However, I will also say having been here as the Official Examiner of Title and Chief Deputy, I know well what the role is of the cubicle holders and the work that they perform and I do believe that there is some discrepancy in some of the costs that the administration has sought to try and weave into what this rent piece is. There are certain fixed costs associated with this building, regardless of whether or not there was private entity in here or not. So in that area, I believe there may be some place to continue to have some reasonable discussion.

And as to the Chief Deputy County Executive's desire for finality, I think any time that you're dealing with parties in a business area there should be balance and there should be equity. Finality should not mean that it works a hardship, a disproportionate impact on small business.

And it seems to me, without interjecting myself in the middle of this because I have, and you will agree I have stayed out of the particular discussions, I'm just calling for an external framework to allow for continued discourse for a finite time. That's it.

**D.P.O. CARPENTER:**

Oh, I'm sorry. Certainly, Legislator Lindsay.

**LEG. LINDSAY:**

I just want to go back to Budget Review. Were you able to find that analysis, Gail?

**MS. VIZZINI:**

Well, the •• Mr. Sabatino is correct, the Budget Office did reach out to us. We do •• this is something that has been ongoing and has been reviewed

and analyzed over a number of years, 1994, 1995, presently.

Public Works, the Budget Office, and the Budget Review Office each did independent analysis, taking into consideration not only the square footage occupied by the title companies, but the fact that they have access to the building earlier than normal County employees and can stay later, that the computers are provided and because •• and, you know, that we have to have the security for them since they have access to the building. Just taking into consideration the normal things you might take into consideration if you were going to charge someone for access to your property.

**LEG. LINDSAY:**

I don't think that totally answers •• I mean, the square •• we're charging these people by square footage and it isn't a flat fee. If you look at the resolution there's a fee for a single cubicle, there's a fee for a double cubicle. It's definitely by square footage. Is the square footage that we're charging these people above market value, below market value, within the range for this area? Have you done that type of analysis?

**MS. VIZZINI:**

My recollection is it's less than market value.

**LEG. LINDSAY:**

That we're charging them in this current agreement.

**MS. VIZZINI:**

But it depends •• you know, it depends on what you're using for market value. One of the things we looked at is if they weren't there, this was in 1994•95, if they weren't there, we could have used that space for our own people, and we did, in fact, have to incur a cost to put our people someplace. For example ••

**LEG. LINDSAY:**

Yeah, but Gail, that isn't what I'm asking. I'm asking, you know, what is a square foot for business office space going for in the Riverhead area? Is it 18 dollars a square foot? Is it 17 dollars? Is it 20 dollars a square foot? Do

we know that?

**MS. VIZZINI:**

It's come to our attention that you can get space in the Riverhead area for less than the square footage. However, the real estate term location, location, location comes to mind. There is tremendous advantages to be co-located with the information available to the County Clerk's Office. So, we haven't done a thorough analysis of what the market rate is for something commensurate with the proximity to the Clerk's Office.

**P.O. CARACAPPA:**

All right. Legislator Alden.

**LEG. ALDEN:**

Through the Chair. I have a question on •• and it might be Paul Sabatino that would have to answer this, but on some of the leases that we have in Suffolk County, we actually take a position where we want a portion of their profits above and beyond a certain like flat area that they would be operating in. Do we take a portion of the profits with this lease?

**MR. SABATINO:**

No.

**LEG. ALDEN:**

And now, this is just philosophically, are we going to modify the other leases that we do in Suffolk County or are we thinking about possibly going to just a flat square footage fee?

**MR. SABATINO:**

I'm not sure what you mean in other situations.

**LEG. ALDEN:**

Yeah, there's other situations in Suffolk County where we rent ••

**MR. SABATINO:**

No, that's important. There's no other situation that's comparable to this, although I believe that engineers, consultants, architects, lawyers would

love to have the same kind of an arrangement in Public Works or in the Health Department where you can get space for virtually nothing, computers for free and printing for free. There is no other comparable situation in Suffolk County. That's really an important point that you've made. The only situation in Suffolk County where a private party is using County facilities for below market value or for free is this situation.

Furthermore, just to embellish on another point that was made, upstate counties, okay, which, you know, probably wouldn't be comparable to Suffolk, are charging five and six hundred dollars per month, which is within the range of value for this. Nassau County provides nothing. Another upstate county provides one table for 2400 a month. So we are well within the realm of reason if you look at other comparable entities.

**LEG. ALDEN:**

Just to throw out one more thought, though, that was brought up by Legislator Lindsay. If you look at it as, you know, a business square footage rental, other areas in Suffolk County, for instance a catering facility, that's something that's easily reduced to when you start looking at the lease. You can go out and look at comparable rents. So I'm just throwing it out as something in the future that maybe we would want to look at and make a uniform type of policy more in line with what we're thinking of doing here.

**MR. SABATINO:**

That's an excellent point. Thank you.

**P.O. CARACAPPA:**

Legislator Carpenter.

**D.P.O. CARPENTER:**

Paul, if you wouldn't mind. In all of this negotiating that took place, was any consideration given to doing this on a phased•in period to kind of help ease them into bringing it to a comparable market rate rental to avoid that sticker shock?

**MR. SABATINO:**

Yes. And in fact, what's happened is there has been a 20 •• a 20 month phase•in period because they have not been charged the rate for the entire period of 2004 and the first eight months of 2005. So, in fact, they're getting a 20 month phase•in in terms of the cost. If you were to spread those costs over the prior 20 months, it would reduce the actual percentage impact by whatever the 20 months represent.

**D.P.O. CARPENTER:**

But still, going forward whenever the agreement would be executed, they would have to come up with this new increased rental, which is three hundred percent higher than they had been paying, you know, at once. My, you know, question or suggestion would be that perhaps it would be, you know, a 100 percent increase the first six months and thereby every year after so that they could budget appropriately and not be hit with a three hundred percent increase at once.

**MR. SABATINO:**

The problem with that is you'd have to go back to January 1st of 2004. We already built that in. Secondly, we purchased 25 new computers at County cost for the public access area. That's another factor of County monies being put forward to accommodate their concerns. We have •• we have delayed the process to give them a chance to adjust and accommodate for a period of now •• the negotiations began in February of 2004, so, you know, literally for 18 months we've had this ongoing dialogue. We even worked out an arrangement when the County center facility was going to be reconstructed they might have been disrupted. We built in another two components for that which we were going to change the scheduling of the work so that they would be at the end of the process as opposed to the normal beginning of the process so they wouldn't be disrupted, would have time to adjust to that. We even offered to provide trailers to accommodate those who would want to stay behind.

I can tell you that we have gone not only the extra mile, we've gone the extra zillion miles to work with these people in a reasonable fashion. The problem is that like everything else in life, at some point there has to be a cutoff point. We've given them the cutoff point three times now. This has to be it. There has to be finality. Somebody has to say no and let the world

adjust to it. Three times we've had a deadline, three times we've pushed it back. This would make it four times for no point, no purpose, and no reason.

**P.O. CARACAPPA:**

Legislator Tonna.

**LEG. TONNA:**

Just one quick thing. There's no indication that any of these people now cannot afford to do this, right? So the sense is the market is paying •• they're going to pay the market or whatever it is, it's not putting anybody out of business, and the fact is that any business would love an opportunity like this, all right, and so I just don't ••

**P.O. CARACAPPA:**

That's not a question, just a statement, right? Okay.

**LEG. TONNA:**

Well, it's a statement. Anybody would love an opportunity like this. They've gotten a free ride for quite some time. Nobody is claiming hardship that now they can't do it and a new group is going to muscle in or something like that. Let's get this done. You know, we're supposed to watch the taxpayers who are paying for all of this, you know. They should get market value.

**P.O. CARACAPPA:**

Okay.

**LEG. LINDSAY:**

Last comment.

**P.O. CARACAPPA:**

Legislator Lindsay, for the final word.

**LEG. LINDSAY:**

The only thing that I would express to the administration is there seems, and Paul if you •• I have some concern about the common area argument

that they have. You know, if you guys •• I'm willing to support this now, but if you could continue to look at that to see if it's equitable or not. You know, for us to be charging people for the cafeteria space even before and after hours, I'm sure other people come in the building before they start their workday and get a cup of coffee or something. I think maybe that is a bit of a stretch.

**MR. SABATINO:**

I hear you. Thank you.

**P.O. CARACAPPA:**

Very good. There's a motion and a second. There was a roll call requested earlier.

**MR. BARTON:**

Yes, there was.

**P.O. CARACAPPA:**

Roll call.

**MR. BARTON:**

All right. I'll begin again.

***(Roll called by Mr. Barton • Clerk)***

**LEG. KENNEDY:**

Yes.

**P.O. CARACAPPA:**

Yeah.

**LEG. COOPER:**

No.

**LEG. TONNA:**

No.

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

No.

**LEG. BISHOP:**

No.

**LEG. NOWICK:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

No.

**LEG. LINDSAY:**

No.

**LEG. FOLEY:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

No.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. CARACCILO:**



Yes.

**D.P.O. CARPENTER:**

Yes.

**MR. BARTON:**

Ten.

**P.O. CARACAPPA:**

That's ten. It's approved.

**LEG. KENNEDY:**

Thank you.

**P.O. CARACAPPA:**

There's another bill we skipped over, two above this one, 1957.

**LEG. CARACCIOLO:**

I'm going to make a motion to come back to that later, Mr. Chairman.

**P.O. CARACAPPA:**

Okay. We'll come back to that after lunch. CN's in your red packet. As you're reaching for those I just make the announcement that at the lunch break there's going to be a short meeting and gathering of the Ad Hoc Committee Affordable Housing. So, anyone that's part of that will be here.

CN's. **2381 (Transferring contingent funding for Long Island Cares Food Bank).** This is •• motion by Legislator Caracciolo, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

The next is **2075 (Calling for a public hearing upon a proposal to form Suffolk County Sewer District No. 24 • Gabreski Airport).** Motion by Legislator Schneiderman, second by Legislator Vilorio•Fisher. All in favor?

Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

That public hearing is •• that sets the public hearing, so that is set. Next is ***2378 (Authorizing the temporary transfer of development rights to United Baking, Co.)***. This is Uncle Wally's.

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary.

**LEG. FOLEY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Foley. All in favor? Opposed?

**LEG. O'LEARY:**

Cosponsor.

**P.O. CARACAPPA:**

Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

It's approved. ***2379 (Amending the 2005 Operating Budget to reduce pension costs by advancing the 2005/2006 pension payment)***. This is very similar to what we went through last year. So what we're doing is paying our pension bill up front saving the County a million dollars.

**LEG. LOSQUADRO:**

Motion, Mr. Chairman.

**LEG. VILORIA • FISHER:**

Second that.

**P.O. CARACAPPA:**

There is a motion by Legislator Losquadro, second by Legislator Carpenter. Before we do that, just know that a resolution will have to be done early in 2006 striking the appropriation for what we budgeted for in '06, because we're taxing for it unlawfully basically. So we did that last year as well. Legislator Binder was the sponsor of that initiative, so most likely we'll have to do that again. So with that on the record there's a motion and a second. All in •• is this a bond? No.

**LEG. MYSTAL:**

No.

**P.O. CARACAPPA:**

All in favor? Opposed? Abstentions?

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

Late•starters. There will be another one later, but as of right now I'll make a motion, second by Legislator Carpenter, to waive the rules and lay on the table the following late•starters. 2370, to go to Public Works. 2371 to go to Ways and Means. 2372 to go to EPA. 2373 to go to Public Safety. 2374 to go to EPA. 2375 to go to Budget and Finance. 2376 to go to Economic Development as well as setting the public hearing at the general meeting on 12/20 in Hauppauge at 2:30.

**LEG. BISHOP:**

What was the other one?

**P.O. CARACAPPA:**

Also, 2377 to Budget and Finance, 2378 to Parks, 2382 to Ways and Means, and Sense 86 •• has it been distributed?

**LEG. ALDEN:**

Sense 86 I'd like to lay on the table and approve.

**P.O. CARACAPPA:**

Has it been distributed?

**D.P.O. CARPENTER:**

We just got it.

**P.O. CARACAPPA:**

Sense 86 is in your packet. ***Sense 86 (Memorializing Resolution requesting State of New York to grant municipalities in Suffolk County the authority to promulgate rules and regulations governing day•care facilities for children)***. Here it is. Legislator Alden would like to •• actually there's a motion and a second. All in favor? Opposed? Abstentions? Laying those bills ••

**MR. BARTON:**

18.

**P.O. CARACAPPA:**

•• on the table and sending them to the appropriate committees. Now Sense 86, which is in your packet. There's a motion by Legislator Alden to lay this on the table and approve. Second by ledge •• by myself. All in favor?

**LEG. BISHOP:**

On the motion.

**P.O. CARACAPPA:**

On the motion on the sense.

**LEG. BISHOP:**

On the motion. What is the current New York State law that you're seeking to change?

**P.O. CARACAPPA:**

Legislator Alden or Counsel.

**LEG. ALDEN:**

Here's the problem with it. When you want to open up a day•care center, which is fine, you only have to go through New York State. So if somebody wants to open up, you know, five or ten child type day•care center, that's fine, it's appropriate to probably put it a residential area. If someone wants to open up a 100 child day•care center and put it in a residential area, it also goes through New York State. It doesn't come and is not subject to ••

**LEG. BISHOP:**

There is no land use regulations. New York State license trumps any land use regulations.

**LEG. ALDEN:**

Exactly. So for most of the day•care centers that we have in Suffolk County, they're appropriate. On the rare occasion that somebody opens up something where •• and there's another thing. They're not required under New York State law to be a resident. The owner of the building doesn't have to be in residence of that and occupy it and can run a day•care center. So in the one or two rare instances where they want to open up a very large commercial or business type of thing, the local zoning should actually take care of it.

**LEG. BISHOP:**

When do you trigger it under your proposal. What size day•care center would go from the neighborhood five to ten that you think is fine to the big one that you think is ••

**LEG. ALDEN:**

Well, actually I leave it up to each municipality because some municipalities are going to say 20, some might say 100, or whatever. But it would be up to local municipal control then.

**LEG. BISHOP:**

So •• but then they could go down to five or ten also.

**LEG. ALDEN:**

Right, but they're not going to do that because basically those aren't even the things that they're seeing as far as complaints on. You see complaints on the large commercial type of operation in a residential area.

**LEG. BISHOP:**

I think as elected officials we know that you can get complaints about almost anything. So I think •• the concept is fine, especially as you described it, but I think that the actual resolution that you drew up probably goes too far the other way.

**LEG. ALDEN:**

It's a Sense resolution, so basically ••

**LEG. BISHOP:**

I know. And earlier today I voted to eliminate all taxes on gasoline, you know, great. The County would go bankrupt.

**LEG. ALDEN:**

I'm asking for your support on the concept that there might be a problem with one or two of these large commercial establishments being established in a residential area. That's all.

**LEG. BISHOP:**

My point is on Sense resolutions we often vote conceptually, and so perhaps that's what we'll have to do here.

**P.O. CARACAPPA:**

Legislator Tonna.

**LEG. TONNA:**

Yeah •• I mean, conceptually this could be a NIMBY nightmare. I mean, from the standpoint that's why we have it at the State level. You know,

people do need child care and any opportunities that we can •• I would hate to think that a town or local community would all of a sudden be able to come up with zoning issues that prevent ten people who have been doing in the neighborhood because there's a louder group of well connected people who say they don't want it in a neighborhood when we need child care. It just seems to me it is better left on the State level and we should hold our State elected officials accountable.

**LEG. O'LEARY:**

This is a Sense, right?

**LEG. TONNA:**

Yeah, but I •• conceptually I'm against this concept.

**P.O. CARACAPPA:**

Second Legislator Vilorio•Fisher.

**LEG. VILORIA•FISHER:**

Actually, Legislator Tonna stated my objections.

**P.O. CARACAPPA:**

All in favor? Opposed? Just raise your hand if you're opposed Legislator Vilorio•Fisher, Legislator Foley, Legislator Montano, Legislator Mystal, Tonna, and Cooper. Thank you.

**MR. BARTON:**

12.

**P.O. CARACAPPA:**

That's approved. Okay. That pretty much does it for business for now. We have one other resolution to deal with after lunch, which will be Legislator Caracciolo's 1957.

**LEG. SCHNEIDERMAN:**

Mr. Presiding Officer, there are •• also I expect there to be some resolutions that come out of the Affordable Housing Committee as well.

**P.O. CARACAPPA:**

As well as those ••

**LEG. FOLEY:**

Tax levies.

**P.O. CARACAPPA:**

We did those did those this morning. We'll be back at 2:30 for public hearings. Hopefully you'll all be back. We have quite a few and still a little bit more business to go through, so we are recessed at 2:30.

***(The meeting was recessed at 12:08 p.m. and was reconvened at 2:24 p.m.)***

**P.O. CARACAPPA:**

Good afternoon, Mr. Barton. Affidavits of publication are in their proper order?

**MR. BARTON:**

Yes, they are, Mr. Chairman.

**P.O. CARACAPPA:**

Thank you very much. We'll go to the first public hearing on ***1948 (A Local Law strengthening the procedures and remedies of the Suffolk County Human Rights Commission)***. Public hearing 1948 I have no cards. Anyone wishing to be heard? I have no •• hearing none, motion to close by Legislator Binder.

**LEG. ALDEN:**

Second.

**P.O. CARACAPPA:**

Where is Legislator Mystal?

**LEG. O'LEARY:**

He's in the hallway.



**P.O. CARACAPPA:**

I don't know if he wants to recess it.

**LEG. BINDER:**

Elie, what do you want to do?

**P.O. CARACAPPA:**

What do you want to do with your public hearing on the Human Rights Commission?

**LEG. MYSTAL:**

Recess.

**P.O. CARACAPPA:**

Motion to recess by Legislator Mystal, second by Legislator Binder. All in favor? Opposed? Abstentions? That is recessed.

Moving on to public hearing regarding **2033 (A Local Law to prohibit all registered sex offenders from residing near schools, day care centers and playgrounds)**. Legislator Cooper. It was recessed. He asked to recess it last time. I'll recess it again.

**LEG. ALDEN:**

Second.

**P.O. CARACAPPA:**

Motion to recess by myself, second by Legislator Alden. All in favor? Opposed? Abstentions? 2033 is recessed.

Moving on to **2111 (Proposed increase and improvement of sewer system facilities for Sewer District No. 7 • Medford (CP 8150))**. I have no cards. Anyone wishing to be heard? Hearing none, motion to close by Legislator O'Leary. Second by myself. All in favor? Opposed? Abstentions? That's closed.

Moving on to public hearing on **IR 2115 (Proposed increase and**

***improvement of facilities for Sewer District No. 22 • Hauppauge (CP 8171).*** I have no cards. Anyone wishing to be heard? Hearing none, motion to close by myself, second by Legislator Caracciolo. All in favor? Opposed? Abstentions? That is closed.

Moving on to public hearing on ***2150 (A Local Law to promote energy efficient environmentally friendly dredge projects).*** I have no cards. Anyone wishing to be heard? Legislator Vilorio•Fisher?

**LEG. VILORIA•FISHER:**

Close.

**LEG. LOSQUADRO:**

Second.

**P.O. CARACAPPA:**

Motion to close by Legislator Vilorio•Fisher, second by Legislator Losquadro. All in favor? Opposed? Abstentions? That public hearing is closed.

Moving on to public hearing on ***IR 2154 (A Local Law authorizing the establishment of a Suffolk County Local Development Corporation for the purpose of developing business incubators in low income communities in Suffolk County).*** I have no cards. Anyone wishing to be heard? Hearing none, I make a motion to close. Second by Legislator O'Leary. All in favor? Opposed? Abstentions? That public hearing is closed.

Moving on to the next public hearing on ***IR 2157 (A Local Law to strengthen the penalties for the sale and delivery of "bootleg" gasoline).*** I have no cards. Anyone wishing to be heard?

**LEG. MYSTAL:**

Lindsay. Bill.

**P.O. CARACAPPA:**

What do you want to do, Legislator Lindsay?

**LEG. LINDSAY:**

Close.

**P.O. CARACAPPA:**

Motion to close by Legislator Lindsay. Second by Legislator Montano. All in favor? Opposed? Abstentions? Public hearing 2157 is closed.

Moving on to public hearing ***IR 2206 (A Local Law to prevent unwarranted price increases by wholesale motor fuel distributors and service station operators).***

**LEG. COOPER:**

Motion to close.

**P.O. CARACAPPA:**

I have no cards. Anyone wishing to be heard? Motion to close by Legislator Cooper, second by Legislator Mystal. All in favor? Opposed? Abstentions? That public hearing is closed.

Moving on to public hearing on ***IR 2281 (A Charter Law authorizing the Department of Public Works to perform eminent domain function).*** I have no cards. Anyone wishing to be heard? Hearing none, motion to close by Legislator Caracciolo, second by Legislator O'Leary. All in favor? Opposed? Abstentions? That public hearing is closed.

Moving on to public hearing on ***2283 (A Local Law to establish the Special Traffic Options Program for Driving While Intoxicated ("STOP DWI") as a division within the Probation Department).*** I have no cards. Anyone wishing to be heard? Hearing none, motion to close by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed? Abstentions? That public hearing is closed.

Moving on to public hearing on ***IR 2284 (A Charter Law creating a County Department of Information Technology).*** I have no cards. Anyone wishing to be heard? Hearing none, motion to close by Legislator Caracciolo, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions? That public hearing is closed.

Moving on to ***IR 2308 (A Local Law to further strengthen street •vending protections)***. I have no cards on the public hearing. Anyone wishing to be heard? Hearing none, I'll make a motion to close. Second by Legislator O'Leary. All in favor? Opposed? Abstentions? That public hearing is closed as well.

Moving on to public hearing on ***IR 2309 (A Local Law authorizing a license and special fund for the Scully Estate)***. I have cards. First speaker is Commissioner Foley.

**COMMISSIONER FOLEY:**

Good afternoon. I don't want to interfere with the pace of things here but I'd like to just provide any ••

**P.O. CARACAPPA:**

Make sure that microphone is on and just pull that thing up to you. There's a button on it.

**COMMISSIONER FOLEY:**

Is it on now?

**P.O. CARACAPPA:**

Yes. Thank you.

**COMMISSIONER FOLEY:**

Okay. This local law would enable the Seatuck non•profit organization to operate and maintain \\_Wherehome\\_ , which is the mansion on the Skully Estate purchased by Suffolk County, and to allow them to operate in conjunction with the Parks Department, the Suffolk County Environmental Interpretive Center at that location. It also establishes a trust, which would guarantee that all funds raised in connection with their presence on that property would be handled in the right way through the County subject to the approval of the Legislature. If you have any questions I'd be happy to answer them.

**P.O. CARACAPPA:**

Thank you very much, Commissioner. I have no other cards. Anyone wishing to be heard?

**LEG. O'LEARY:**

Motion to close.

**P.O. CARACAPPA:**

Motion to close by Legislator O'Leary. Second by myself. All in favor? Opposed? Abstentions? That public hearing is closed.

Moving on to public hearing on ***IR 2330 (A Local Law amending the Suffolk County Empire Zone boundaries to include Telephonics Corporation, S.C. Tax Map No. 0400•401.40•01.00•110.00)***. The first speaker is Jim Morgo.

**MR. MORGO:**

Thank you, Legislator Caracappa. I would prefer if •• with your indulgence, that we have some folks from Telephonics who want to speak and I'll be available to answer any questions you might have.

**P.O. CARACAPPA:**

I appreciate that. The the other card I have is Gerald Raymon.

**MR. RAYMON:**

I'm Gerald Raymon. I'm General Counsel of Telephonics Corporation. Good afternoon, Ladies and Gentlemen. It is a pleasure to be here today to say a few words regarding Telephonics and the required expansion of our facility at 789 Park Avenue in Huntington. As many of you may know, Telephonics is a subsidiary of the \\_Griffon\\_ Corporation and we've been on Long Island for some 70 years total. We currently operate at three locations, 789 Park Avenue, 770 Park Avenue in Huntington, and 815 Broad Hollow Road in Farmingdale.

As a result of Telephonic's traditions and legacies of innovation and advanced technology, after a number of years of working on a design and development contract for the United States Government, we are about to commence a full scale production of one of our high tech products for the

U.S. Navy. It is a multi-mission helicopter surveillance program. This will result in approximately 100 new jobs at 789 Park Avenue.

In addition, Telephonics was also recently awarded a subcontract by the Syracuse Research Corporation requiring a very aggressive delivery schedule for a product that's been needed in our •• for our government's efforts to defeat improvised explosive devises or IED's as they are sometimes referred to, you may have read about it in Newsday, which are claiming so many of the lives of our brave soldiers in Iraq and elsewhere. This, too, will be performed at 789 Park Avenue and will result in a significant number of additional jobs and the program will likely go on for several years.

Telephonics is very proud of having been selected to perform these important contracts which are a tribute to our technological and manufacturing capabilities and to our workers. It is also something we believe that you can also take some pride in as a result of your support for economic and business development in Suffolk County and for the quality of life of the workers in the County.

And we are therefore hopeful and we ask that respectfully that you continue that support and include Telephonics operations at 789 Park Avenue as part of the Suffolk County Empire Zone. This will assist Telephonics to continue to be competitive and to be cost effective and to obtain and retain business in the County as well as to improve the number of jobs and local employment base. Thank you very much.

**LEG. VILORIA•FISHER:**

May I ask a question, please?

**P.O. CARACAPPA:**

Just hold on, sir. There's a question.

**MR. RAYMON:**

If you have any question I'd try to answer them.

**LEG. VILORIA•FISHER:**

Yes. I'm over here.

**MR. RAYMON:**

Yes.

**LEG. VILORIA • FISHER:**

I may have missed it. Did you mention how many people are employed by Telephonics?

**MR. RAYMON:**

Telephonics currently employs over 1,000 people. We are all •• most of which are located in Suffolk County.

**LEG. VILORIA • FISHER:**

They are located in Suffolk County. And what level worker is that, does that encompass in that 1,000. Are they high tech jobs? Are they entry level? Do you know?

**MR. RAYMON:**

I can't answer you specifically, but it's a fairly ••

**LEG. VILORIA • FISHER:**

I'm not asking for exact numbers, just the types of jobs that ••

**MR. RAYMON:**

It's a fairly good mix. I mean, we have some very high level engineering personnel, a good number of them, and then of course we have people that work on the wires and various technicians on our ventures. I could not honestly break it down for you.

**LEG. VILORIA • FISHER:**

No, you answered what I was looking for. And the new contract, will that result in more jobs or are they •• the people where they're currently doing the type of work that's needed for the contract that you just said you affected.

**MR. RAYMON:**

It will require both. I mean, some of the people who are already dedicated



to that •• those programs will be employed there, but also some new positions as well, both of the professional and of the bench workers and things of that sort.

**LEG. VILORIA•FISHER:**

Okay. Thank you. I was just asking because we're so interested here in continuing to develop our high tech profile here in Suffolk County. We have a number of businesses that have been involved in high tech and engineering work and I'm glad that you are sharing that with us, that we continue to develop our high tech industries.

**MR. RAYMON:**

Yes, thank you. Anyone else? Thank you very much.

**P.O. CARACAPPA:**

Mr. Morgo, do you have anything to add?

**MR. MORGO:**

I'd like to explain to you why this resolution is so significant. Once again, Suffolk County is going to lead the way. This is going to be a first. The Empire State Development Corporation established and the Legislature established in the last session a new category where you can actually have the benefits of an Empire Zone outside of an Empire Zone. We have six subzones, as you know. I explained this at the Economic Development Committee.

Now, if you qualify as a regionally significant project, you can have all the benefits of the Empire Zone in an area that's outside. In this case, it's on the east side of Park Avenue in Huntington. The requirements are that you have to create at least 50 new jobs. You heard about Telephonic's contracts. They're going to create in excess of 50 jobs, and Legislator Viloria•Fisher, they're all very high paying jobs, and the product is decidedly high tech. It's a high tech product.

You approved being business friendly and environmentally friendly for a manufacturer earlier that had a very low tech product, muffins. This is a



device that's going to be produced that's going to be combating the number one killer of our armed forces in Iraq and it's going to be done right here in Suffolk County.

What has to happen is that the Zone Administration Board of the Suffolk County Riverhead Empire Zone, which I Chair, has to pass a resolution approving it. It did. Both County •• both towns, Riverhead and Huntington, had to pass town resolutions, which you have, they did. We need the local law and we have to send this up to Albany and the Zone Board, the State Zone Development Board, has to then approve what you have done to get Telephonics to have this special classification as a regionally significant project.

**P.O. CARACAPPA:**

Legislator Mystal has a question.

**LEG. MYSTAL:**

Good afternoon, Jim.

**MR. MORGO:**

How are you?

**LEG. MYSTAL:**

I happen to have worked on the Empire Zone legislation back in an earlier life, back in the early 1970's. As you know, the Empire Zone was established to help what we call in quote depressed areas for business to locate within that area and provide jobs for those areas.

Two questions for you. A lot of people have gotten into the Empire Zone, but I have never seen any data to substantiate the creation of jobs, especially creation of jobs in a minority community, even though they are most of the time located in a minority community. I do understand Telephonics is in what they call the outer area of the Empire Zone. This company just happened to be part of it, just happened to be located my district.

Are there going to be any kind of tracking system to find out if when we give them the tax abatements that they acquire under the Empire Zone, that they will in fact, (A), increase jobs, (B), some of those jobs would at least help the poor communities.

**MR. MORGO:**

Okay. You asked several different things, Legislator Mystal. The easiest one to answer is yes, there is a tracking. In fact, there's a cost benefit analysis and with a regionally significant project, which we are talking about now, they would lose all the benefits if they did not produce the jobs that they must under the program within a set period of time.

The other point you mentioned, that having them in economically depressed areas, now there are two types of economic Empire Zones. They used to be called economic development zones. There are two types, those that are earmarked for economically depressed areas. As you know, one of the subzones is in your district in Wyandanch. The other types are enterprise zones where you need to make a set investment, you have to create the jobs, and you lose the benefits if you don't.

This would be the first regionally significant project, certainly on Long Island, and probably one of the first in the state, but you were asking questions that go beyond that, really. This legislation is, and by the way, by doing this, this is an important point to all of you, we don't lose any acreage that we currently have designated as Empire Zones. This is all additional. We have the, as you know, the six subzones. Gabreski is one, Riverhead. This is in addition, we don't lose anything. Okay?

Just •• and just a point of personal privilege. Unfortunately Legislator Bishop is not here, but Legislator Carpenter is. On the downtowns, I could not agree with your point more, that those beautification efforts were all very positive and the new direction was in no way to detract from that. Okay. Thank you.

**P.O. CARACAPPA:**

Thank you. I have no other cards. Anyone else wishing to be heard on this matter? Motion to close by Legislator Mystal, second by Legislator

Montano. All favor? Opposed? Abstentions? That public hearing is closed.

I'll make a motion, second by Legislator O'Leary, to set the following •• set the following public hearings, time, date, and location. Setting the date of Tuesday, December 14th, 2005 at one p.m. at the Consumer Protection Committee in Hauppauge for the following public hearings. ***IR 2365 (A Local Law to license livery vehicles)***. That motion is set, there's a second. All in favor? Opposed? Abstentions? That public hearing is set.

Everyone has an addendum to the agenda. The Ad Hoc Committee on Workforce Housing met earlier today at lunch, and the following bills came out. Motion by Legislator Schneiderman, second by Legislator Vilorio•Fisher, to approve ***2264 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal Law to the Town of Babylon for affordable housing purposes (SCTM No. 0100•081.00 •01.00•023.000)***. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

***2265 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal Law to the Town of Babylon for affordable housing purposes (SCTM No. 0100•055.00•02.00 •049.000 & 0100•055.00•02.00•050.000)***. Same motion, same second, same vote.

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

***2266 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal law to the Town of Babylon for affordable housing purposes (SCTM No. 0100•168.00•02.00 •039.000)***. Another 72•h. Same motion, same second, same vote.

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

***2267 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal Law to the Town of Babylon for affordable housing purposes (SCTM No. 0100•165.00•01.00•036.000). 72•h. Same motion, same second, same vote.***

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

That was 2267. ***2268 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal Law to the Town of Babylon for affordable housing purposes (SCTM No. 0100•124.00•02.00•070.000). Another 72•h. Same motion, same second, same vote.***

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

***2269 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal Law to the Town of Babylon for affordable housing purposes (SCTM No. 0100•054.00•04.00•031.000). Same 72•h. Same motion, same second, same vote.***

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

***2270 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal Law to the Town of Islip for affordable housing purposes (SCTM No. 0500•367.00•03.00•048.000). Motion by Legislator Montano, second by Legislator Mystal. All in favor? Opposed? Abstentions?***

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

***2271 (Authorizing the sale of County-owned real property pursuant to Section 72-H of the General Municipal Law to the Town of Islip for affordable housing purposes (SCTM No. 0500-393.00-03.00-099.000)).*** Same motion, same second, same vote.

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

***2272 (Authorizing the sale of County-owned real property pursuant to Section 72-H of the General Municipal Law to the Town of Babylon for affordable housing purposes (SCTM No. 0100-258.00-06.00-060.000)).*** Same motion, same second, same vote.

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

Going back to the agenda, tabled resolutions.

**LEG. CARACCILOLO:**

Mr. Chairman. Mr. Chairman. I would make a motion to table 1957.

**P.O. CARACAPPA:**

Motion to table •• what was that number again?

**LEG. CARACCILOLO:**

1957.

**P.O. CARACAPPA:**

Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

That's tabled. That was Page 10.

**LEG. MONTANO:**

11.

**P.O. CARACAPPA:**

Page 10. We skipped over it much earlier. It was ***a Charter Law to require action on the annual County Operating Budget before the general election.*** There is a motion to table and second. That vote's been taken.

Make another motion to waive the rules and lay on the table, second by Legislator Carpenter, the following bills. 2383, which will go to Public Works, 2384, which will go to Ways and Means, and that's it. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15.

**P.O. CARACAPPA:**

Those bills are laid on the table. I have nothing else today. Anyone else have any other items?

**LEG. LINDSAY:**

Does that mean we can go home?

**LEG. CARACCILOLO:**

Mr. Chairman.

**P.O. CARACAPPA:**

I recognize Legislator Caracciolo.

**LEG. CARACCILOLO:**

I'd like to make an inquiry on that resolution that was just tabled with

Counsel, okay?

**P.O. CARACAPPA:**

Absolutely.

**LEG. CARACCIOLO:**

Mea, if you could pull up 1957.

**LEG. MYSTAL:**

You don't want to go home early, Mike?

**LEG. CARACCIOLO:**

The changes that this resolution would require, do they relate in any manner to the submission of the budget date by the County Executive?

**MS. KNAPP:**

In this particular resolution, the date that the County Executive has to submit his budget is not changed, no.

**LEG. CARACCIOLO:**

It's not. It's still the third Friday in September. So the only change this resolution makes is changing the adoption date to the •• no later than the 31st •first or 30th of October.

**MS. KNAPP:**

Well, it makes corresponding changes to allow that to happen, such as your two public hearings have to be no later than October 23rd as opposed to ••

**LEG. CARACCIOLO:**

Right.

**MS. KNAPP:**

But yes.

**LEG. CARACCIOLO:**

Okay. So it does not affect the timetable of submission by the County

Executive.

**MS. KNAPP:**

No. Instead of being •• instead of voting •• instead of having public hearings no later than the 42nd day after he's submitted the proposed budget, the Legislature would have to act on the public hearings the 34th day. It's all just ••

**LEG. CARACCILO:**

Right, right, to adjust for the timetable. Okay. Then, Mr. Chairman, I'd like to make a motion to reconsider 1957.

**P.O. CARACAPPA:**

There's a motion to reconsider by Legislator Caracciolo on 1957. He's on the prevailing side so that's a valid motion. Second?

**LEG. O'LEARY:**

Second.

**P.O. CARACAPPA:**

By Legislator O'Leary. All in favor? Opposed?

(Legislators opposed in unison)

**P.O. CARACAPPA:**

Just raise your hands, please. Legislator Vilorio•Fisher, Legislator Lindsay, Legislator Montano, Legislator Mystal, and Legislator Cooper.

**LEG. CARACCILO:**

Counsel, just again to ••

**MR. BARTON:**

Ten.

**LEG. CARACCILO:**

Thank you. I'm going to make a motion to approve and just for the record, the only change, substantive change with respect to the resolution and the



timetable, is it changes the date of adoption to a date that currently is taking place in the past few years after Election Day to a requirement like Nassau County, that we adopt a budget prior to Election Day, in this case no later than October 30th.

**MS. KNAPP:**

Yes, and it makes the changes that are necessary to make in the other provisions of the Charter ••

**LEG. CARACCILOLO:**

Right, but does not affect the County Executive's timetable.

**MS. KNAPP:**

No, it does not.

**LEG. CARACCILOLO:**

Okay.

**P.O. CARACAPPA:**

Legislator Lindsay.

**LEG. LINDSAY:**

How did you know that? I just need some really institutional knowledge. How long have we been adopting the budget in this format? Does anybody know?

**LEG. CARACCILOLO:**

I know. I've been here, Angie's been here. Elie's been around with Maxine.

**LEG. LINDSAY:**

Well, how long?

**LEG. MYSTAL:**

We've been doing this for 13 years.

**LEG. CARACCILOLO:**

In the current format?

**LEG. LINDSAY:**

Yeah.

**LEG. CARACCILOLO:**

Since about 19 •• Mr. Hackeling. I look up there and I see Mr. Hackeling. Yes, since so•called bipartisan coalition government.

**D.P.O. CARPENTER:**

It's about eight years, not 13.

**LEG. ALDEN:**

It's exactly eight years.

**LEG. LINDSAY:**

Okay. So it's been a while. And the only reason I ask this, and Michael, I don't mean to be critical of you, but you've been here for more than ten years. On your next to the last meeting, to put in this type of change, why didn't you do it earlier in your tenure if you thought it was such a good thing to do.

**LEG. CARACCILOLO:**

I appreciate the question and the fact is I have tried to do it over the years prior to this second to the last meeting that I'll be a Legislator. It's something that I think is very important and I think the voters of Suffolk County have a right to know that their elected officials are going to send to them, vis•a•vis a tab in their taxes for the following year. Nassau County requires it •• requires that. A number of other municipalities, counties, require that around the state.

I know why it changed. It changed because some Legislators, Republicans and Democrats, did not want the voters to have the opportunity to judge them on their merits and their actions and therefore let's postpone until after Election Day. It's as straightforward as that. There's nothing here, no smoke and mirrors, that's what it's all about. If you believe the voters should have that opportunity to judge you and me and other Legislators before they go to the polls on their actions and how it's going to affect their

bottom line, you support the resolution. If you don't think so, you don't.

And I would submit that the current County Executive, when he was a County Legislator, supported that initiative, to have the vote before Election Day. Now, that may have changed now for obvious reasons, but back then, that was the tune he sang.

**P.O. CARACAPPA:**

Legislator Mystal.

**LEG. MYSTAL:**

Since we are talking about institutional knowledge, one of the reasons why we took that vote after Election Day, not before, is because the system had become bogged down in a quagmire of politics before Election Day. And since we did change that system to after Election Day, we have had a smoother, a much more responsible and less taxes, may I propose, since we have adopted that. Before that, we've had long meetings with everybody posturing for the electorate, everybody posturing for Suffolk Life, Newsday, and Channel 12. And I don't think it's a good idea to bring it back to the chaos that we had when we used to do it before Election Day.

**LEG. CARACCILOLO:**

Mr. Chairman.

**P.O. CARACAPPA:**

I recognize Legislator Caracciolo.

**LEG. CARACCILOLO:**

Well, I think going forward one would hope, now that we have a political party that will not only be in control of the Executive Branch but the Legislative Branch of government that there should be a minimum amount of disagreement or chaos.

**LEG. MYSTAL:**

You are precluding that Democrats don't posture for the media.

**LEG. CARACCILOLO:**

That's up to the individuals who are prone to do that.

**LEG. MYSTAL:**

I'm not going to say anything else.

**P.O. CARACAPPA:**

Anyone else? There's a motion and a second.

**MR. BARTON:**

No second.

**P.O. CARACAPPA:**

Roll call.

**MR. BARTON:**

Mr. Chairman.

**P.O. CARACAPPA:**

Oh, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I'd like to hear before casting my vote from one of the County Executive's branch who had indicated to me that this resolution somehow changed their timetable. I don't see it in the bill itself, but I'd like to hear their position.

I'd also like to hear from BRO just to make sure that they have ample opportunity to review the County Executive's budget. They're losing not a lot of days, but they're losing I guess about eight days in their review process. I think that's important. From a good government perspective sure, it makes sense for us to pass the budget a few days before the election rather than a few days after, but I would like to hear from those two organizations.

**P.O. CARACAPPA:**

Who first?

**LEG. SCHNEIDERMAN:**

I think BRO first, that's fine.

**MS. VIZZINI:**

If this were in place this year, Budget Review would have had 13 days less working with the Legislature to make the necessary amendments to the Operating Budget. I think that this impacts Budget Review significantly. It's a total of eight days from the fifty•two days that we must adopt the budget to now 44 days. That's the change in the legislation. Although it only seems like eight days, all of you know the hours that Budget Review puts in as soon as that document is released by the County Executive.

This particular year would have been very difficult for us, the transition coupled with the major policy issues that you wrestled with. Thirteen days out of the work time that goes into the analyzing, getting the report out, but more importantly, conveying that information to you and preparing any changes that you want to make to the recommended budget. We really would be in much more of a rush than we are under the current scenario, unless the budget is given to us at an earlier •• you know, unless we can recapture those two weeks, that eight to thirteen days, which is not addressed in this version of the resolution.

**P.O. CARACAPPA:**

Mr. Zwirn.

**MR. ZWIRN:**

Thank you, Mr. Presiding Officer. The County Executive, we were under the impression, quite frankly, that this would move up the County Executive's time in having to prepare the budget. It is almost a three billion dollar budget, and interesting, just anecdotally, I made the proposal in Nassau County to move the dates up to vote on the budget. It was a much different process than you have out here in Suffolk County. We did not have a Budget Review Office. All we had was the County Executive's Budget Office at that time. There was no independent review. And lots of things happened with the budget in Nassau County as we all see, now it all came out in •• you know, to roost when Mr. Gulotta was the County Executive.

The process out here is very different and, quite frankly, the County

Executive's Budget Office counts on Budget Review because they will have more numbers under the current system. They'll have more sales tax revenue projections, real numbers, actual numbers, as we move forward with the years budget and that is helpful in the process. You will lose, very likely lose that ability to have that time. The longer the time you have to prepare a budget, the more real numbers you're working with, real actual numbers, so you can do better projections going forward.

The only thing the County Executive would say, he would •• echoing Legislator Lindsay's words, is that moving forward into a new Legislature, that perhaps they could all take it up in January and come up with a new plan working together. It seems a little bit disingenuous to do it as one Legislature goes out to put rules and regulations into effect for a new Legislature coming in. And the County Executive would look forward to working with it.

If it does not affect the County Executive's budget, which is what he is most concerned about and putting out the projections for a proposed budget, he's less likely to oppose it. But I think it would be •• would make more sense to put this on the table in January and start fresh. Come up working with Budget Review to come up with time frame that might be realistic for all sides.

**P.O. CARACAPPA:**

Okay? Anyone? Thank you, Mr. Zwirn. Motion and second.

**MR. BARTON:**

No. Who's the second, Mr. Chairman?

**P.O. CARACAPPA:**

The second was Legislator O'Leary.

**LEG. CARACCILOLO:**

Roll call, Mr. Chairman.

**P.O. CARACAPPA:**

A roll call has been requested.

***(Roll called by Mr. Barton • Clerk)***

**LEG. CARACCIOLO:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. COOPER:**

No.

**LEG. TONNA:**

(Not Present)

**LEG. BINDER:**

Yes.

**LEG. MYSTAL:**

No.

**LEG. BISHOP:**

No.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

No.

**LEG. LINDSAY:**

No.

**LEG. FOLEY:**

(Not Present)

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA • FISHER:**

Nope.

**LEG. SCHNEIDERMAN:**

I'd like to make a motion to table.

**LEG. MONTANO:**

Second.

**D.P.O. CARPENTER:**

We already had that.

**P.O. CARACAPPA:**

You have to make it to a date specific.

**LEG. SCHNEIDERMAN:**

I'm not prepared to vote on this today.

**P.O. CARACAPPA:**

You you cannot table it to the meeting •• the next meeting. You'd have to make it to ••

**LEG. BINDER:**

You can't because then it is gone after that.

**MR. BARTON:**

Legislator Schneiderman, your vote?

**P.O. CARACAPPA:**



Unless you table it to a certain time and date into the new year that would be eligible.

**LEG. SCHNEIDERMAN:**

Why can't it be tabled to the next meeting?

**P.O. CARACAPPA:**

Because we already tried •• we already tabled to the last meeting and that •  
•

**LEG. SCHNEIDERMAN:**

But we reconsidered that tabling motion.

**P.O. CARACAPPA:**

Oh, it was reconsidered.

**LEG. ALDEN:**

Motion to recommit to Budget.

**P.O. CARACAPPA:**

Because it was reconsidered, can we vote on tabling it again to the same date?

**MS. KNAPP:**

The motion to reconsider passed and we now we are doing a motion to ••

**P.O. CARACAPPA:**

Because we reconsidered the original tabling vote it is stricken.

**MS. KNAPP:**

Could we do a second motion to table?

**P.O. CARACAPPA:**

To the next general meeting. Because usually the rules apply that if we ••

**MS. KNAPP:**

It didn't fail. It passed ••

**P.O. CARACAPPA:**

It didn't fail, right.

**MS. KNAPP:**

•• and it was reconsidered.

**P.O. CARACAPPA:**

So you can make a motion to table it to the next meeting.

**LEG. CARACCIOLO:**

I'll second.

**P.O. CARACAPPA:**

There's a motion by Legislator Schneiderman to table to the next meeting, general meeting of this Legislature in Hauppauge, second by Legislator Caracciolo. All in favor? Opposed?

(Legislators opposed in unison)

**P.O. CARACAPPA:**

Raise your hand. Roll call.

**(Roll called by Mr. Barton • Clerk)**

**LEG. SCHNEIDERMAN:**

Yes to table.

**LEG. CARACCIOLO:**

Yes to table.

**LEG. COOPER:**

Yes.

**LEG. BINDER:**

No.

**LEG. MYSTAL:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

(Not Present)

**LEG. LOSQUADRO:**

Pass.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. O'LEARY:**

No.

**D.P.O. CARPENTER:**

No.

**P.O. CARACAPPA:**

No.

**LEG. LOSQUADRO:**

No.

**MR. BARTON:**

Ten. (Not Present: Legislator Foley)

**P.O. CARACAPPA:**

It's tabled.

Okay. Before I close out the meeting, if I could, you know, all politics aside and all policy aside for a second. This is the last meeting in Riverhead.

**LEG. ALDEN:**

Ever.

**P.O. CARACAPPA:**

For the year.

**LEG. ALDEN:**

Ever.

**P.O. CARACAPPA:**

Actually, quite possibly for a long time, but ever, as Legislator Alden says, for a lot of Legislators here and we all know who you are, and your staff. And, you know, Riverhead's a special place for us. Over the years the Legislators who have served for a long time, you've done a lot of great things out in this auditorium, and it's a wonderful feeling knowing that our friend and colleague Maxine, that this is named after her and that we were able to do it in the auditorium, pass policy and debate on those issues that were so important that this auditorium is named after her and she did so much here as well.

So I know the people of the east end, the five eastern towns, who benefit the most from us meeting out here certainly appreciate the efforts of the

outgoing Legislators. You've always put, you know, a provincial view aside to deal with the County as a whole and your willingness to serve as true public servants for the entire County is the reason why the people of the east end have been able to benefit from open space preservation and farmland preservation, infrastructural improvements, east end helicopter service, improved better health services, health centers, just to name a few. You've always put aside your district thinking and you've always looked at this in the big picture, and I just •• I guess through me I'm saying thank you on behalf of all of the people who have benefitted from your mentality and the way that you've served the people of the east end over the years.

So this auditorium will hold the memories of your public service and the people will never forget it I'm sure, so from •• this will be the beginning of I guess a shorter longer by depending how you look at it, so the people of the east end say thank you and farewell and best of luck in your future endeavors.

(Applause)

**P.O. CARACAPPA:**

Is there anything else to come before us today? We are adjourned.

***[THE MEETING WAS RECESSED AT 3:00 P.M.]***

\\_ \\_ ***Indicates Spelled Phonetically***